

necessary; to the Committee on Ways and Means.

3357. By Mr. ROLPH: Resolution adopted by California Commission on Interstate Cooperation, that the construction of the entire Central Valley project be expedited and completed at the earliest possible date, for the immediate purpose of providing additional food and electric power for war needs and the further purpose of realizing the project's original objectives of preserving existing agricultural production and developments, maintaining municipal and industrial developments, and providing for improvement of navigation, flood control, and development of hydroelectric power; and urging Congress to appropriate the necessary funds and the War Production Board to grant priorities for the required material, equipment, and manpower to complete the project as expeditiously as practicable; to the Committee on the Public Lands.

3358. Also, resolution of the Railroad Commission of the State of California, opposing House bill 3420; to the Committee on Interstate and Foreign Commerce.

3359. Also, petition of the California State Board of Agriculture, Sacramento, Calif., recommending that Shasta, Keswick, and Friant Dams, Friant-Kern, Madero, and Contra Costa Canals, and other necessary works of the Central Valley project, be completed and placed in operation as rapidly as feasible for the purpose of obtaining increased production of critical war crops to meet the increased food shortage, and that the Secretary of Agriculture, the Food Administrator, and War Production Board are urged to approve the necessary materials required, and that the Congress appropriate adequate funds therefor; to the Committee on the Public Lands.

3360. By Mr. COCHRAN: Petition of the Potomac Boat Club, Washington, D. C., and signed by 20 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3361. Also, petition of T. J. Daly, of Washington, D. C., and 18 other citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3362. Also, petition of the Occidental Hotel, Washington, D. C., and signed by 29 others, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3363. Also, petition of Mrs. M. Cox, Washington, D. C., and 18 other citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3364. Also, petition of George F. Eccardt and 29 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3365. Also, petition of John Rohrback and 40 other citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3366. Also, petition of Harold E. Quirk and 19 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3367. Also, petition of H. C. Hartkop and 14 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3368. Also, petition of Mr. and Mrs. J. Hauser and 190 other St. Louis citizens, protesting against the passage of House bill 2082

which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3369. By Mr. ANDREWS: Letter received from Sol Lenzer, president of Sol Lenzer Corporation of Buffalo, N. Y., protesting against any tax being placed on soft drinks; to the Committee on Ways and Means.

3370. Also, petition signed by 60 persons belonging to the Niagara County Chapter of the New York State Society of Professional Engineers, protesting against passage of the Kilgore bill (S. 702); to the Committee on Military Affairs.

3371. By Mr. VOORHIS of California: Petition of Joseph F. Lamp, of La Verne, Calif., and 23 others, urging the passage of House bill 2082; to the Committee on the Judiciary.

3372. Also, petition of William Gilson, of Pomona, Calif., and 22 others, urging the passage of House bill 2082; to the Committee on the Judiciary.

3373. Also, petition of Nannie E. Chandler, of Pomona, Calif., and 22 others, urging the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

3374. Also, petition of Bessie L. Angelow, of Pomona, Calif., and 19 others, urging the passage of House bill 2082; to the Committee on the Judiciary.

3375. Also, petition of Ruth B. Fuller, of Pomona, Calif., and 19 others, urging the passage of House bill 2082; to the Committee on the Judiciary.

3376. Also, petition of Margaret E. McPherson, of Pomona, Calif., and 16 others, urging the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

3377. By Mr. BARRY: Petition of sundry residents of New York City, protesting against enactment of prohibition legislation, especially during the war emergency; to the Committee on the Judiciary.

## SENATE

TUESDAY, NOVEMBER 2, 1943

(Legislative day of Monday, October 25, 1943)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, Guide of these pilgrim days, strained and tense with our burdened lives we seek the shelter and strength that surrounds us in the shadow of Thy wings. At this our daily altar of prayer we are made vividly aware that victory for the precious things we hold dearest is not to be won alone on battlefields half a world away, but in the quality of our inner lives. We who have been commissioned to find the truth about this ailing world would face the truth about ourselves. We confess that we dread to know our own heart with its strange deceptions, its studied selfishness and its calculating prudence. O God, as for this moment we look away from our tasks to Thee, Thou judge of all men, strip us of our illusions, chasten us for our willful blindness, cleanse our hearts, capture our wills, clarify our minds. With the duty of our daily lives illumined and made glorious by the light within, lead us in the paths of righteousness for Thy name's sake. Amen.

## THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, November 1, 1943, was dispensed with, and the Journal was approved.

## CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Pepper
Andrews	Guffey	Radcliffe
Austin	Gurney	Reed
Ball	Hatch	Revercomb
Bankhead	Hawkes	Reynolds
Bilbo	Hayden	Robertson
Brooks	Hill	Russell
Buck	Holman	Scruggam
Burton	Johnson, Calif.	Shipstead
Bushfield	Johnson, Colo.	Smith
Butler	Kilgore	Stewart
Byrd	Langer	Taft
Capper	Lodge	Thomas, Okla.
Caraway	Lucas	Thomas, Utah
Chavez	McClellan	Truman
Clark, Idaho	McFarland	Tunnell
Clark, Mo.	McNary	Tydings
Connally	Maloney	Vandenberg
Danaher	Maybank	Van Nuys
Davis	Millikin	Wallgren
Downey	Moore	Wheeler
Eastland	Murdock	Wherry
Ellender	Nye	White
George	O'Daniel	Wiley
Gerry	O'Mahoney	Willis
Gillette	Overton	Wilson

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from Nevada [Mr. McCARRAN] is conducting hearings in Western States for the Committee on Public Lands and Surveys and is therefore necessarily absent.

The Senator from North Carolina [Mr. BAILEY], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Montana [Mr. MURRAY], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent from the city.

The Senators from Kentucky [Mr. BARKLEY and Mr. CHANDLER] and the Senators from New York [Mr. MEAD and Mr. WAGNER] are detained on important public business.

Mr. McNARY. The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from New Jersey [Mr. BARBOUR], the Senator from Maine [Mr. BREWSTER], and the Senator from Idaho [Mr. THOMAS] are necessarily absent.

The Senator from Wisconsin [Mr. LA FOLLETTE] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The Senator from Michigan [Mr. FERGUSON] is absent on business of the Senate.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

# PETITIONS AND MEMORIALS FROM MASSACHUSETTS—PROHIBITION OF THE LIQUOR TRAFFIC

Mr. LODGE presented petitions, numerous signed, of sundry citizens of the State of Massachusetts, praying for the enactment of the bill (H. R. 2082) to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, which were referred to the Committee on the Judiciary.

He also presented memorials, numerous signed, of sundry citizens and organizations, all in the State of Massachusetts, remonstrating against the enactment of the bill (H. R. 2082) to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, and also any and all proposed prohibition measures, which were referred to the Committee on the Judiciary.

## APPROPRIATIONS FOR FARM SECURITY ADMINISTRATION—PETITION

Mr. CAPPER. Mr. President, I present for the RECORD and for appropriate reference a letter in the nature of a petition which I have received from John Frost, for many years one of the leading State officers of the Kansas Farmers' Union. The letter is as follows:

Do all you possibly can to secure additional funds to help many hard-pressed dirt-farmer families to continue to produce food for war needs. The cut in F. S. A. funds is unjust and against winning the war.

JOHN FROST.

ABILENE, KANS., October 29, 1943.

The VICE PRESIDENT. Without objection, the letter will be received and referred to the Committee on Appropriations.

## POST-WAR PEACE PLAN—SUGGESTIONS BY THOMAS J. REARDON, HARTFORD, CONN.

Mr. MALONEY. Mr. President, I ask unanimous consent to present for reference to the Committee on Foreign Relations a letter embodying a suggested resolution and a prepared statement on the subject of post-war peace plans by Thomas J. Reardon, of Hartford, Conn. I do this at Mr. Reardon's request. I also ask unanimous consent that the letter and statement be printed in the RECORD.

There being no objection, the letter and statement were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

OCTOBER 25, 1943.

DEAR SENATOR: Inasmuch as no opportunity was given the public to be heard on the matter of post-war plans by either the Senate or House Committees on Foreign Relations, I humbly submit for your consideration the following substitute for Senate Resolution 192:

"Resolved, When complete victory is achieved, that the United States, acting through the 'divine formula' for peace and tranquillity—good will—and article V and amendments IX and X of the Constitution, will cooperate with other free and sovereign people in securing a just, honorable, and lasting peace on earth.

"When the testamentary has been prepared and before it has been executed, adopted, or ratified, the voting citizens of

the United States will be summoned for their verdict by ballot."

Will you kindly read this letter into the record of the Senate as a part of the discussion on the Connally resolution.

I would appreciate an answer from you, stating what action you will take on this request.

Yours very truly,

THOMAS J. REARDON.

HARTFORD, CONN.

## THE PEOPLE AND FREEDOM VERSUS THE POLITICIANS AND PAWNDOM

Senate Resolution 192 (CONNALLY):

Lines 1 and 2 state the immediate objective.

Lines 3 and 4 designate those with whom it is proposed to cooperate and defines the purpose.

Lines 5 to 9 define the process for the accomplishment of the purpose.

Proposed substitute for Senate Resolution 192:

Lines 1 assumes the attainment of the immediate objective of the Connally resolution.

Lines 2, 3, and 4 define the process for the accomplishment of the purpose.

Lines 4 and 5 designate those with whom it is proposed to cooperate.

Lines 5 and 6 define the purpose.

Lines 6 to 10 define the method of implementation.

Senate Resolution 192, by ignoring article V and amendments IX and X to the Constitution of the United States, indicates clearly that the proponents of the resolution have, in their minds, suspended those provisions for the exigency of government; whereas the substitute specifically provides that cooperation should be through those provisions.

Both Senate Resolution 192 and the substitute deal with post-war plans for peace.

Senate Resolution 192 is based upon a false premise, in that it proposes to cooperate with our comrades in arms and with free and sovereign nations; whereas the true premise is that our cooperation should be with free and sovereign people.

Senate Resolution 192 does not clearly define sovereignty, whereas the substitute defines it in no uncertain terms.

Senate Resolution 192 neglects to provide for the implementation of the voice of the people in reaching a verdict on this plan; whereas the substitute sets forth the method of implementing the voice of the people so that the will of the people will prevail factually and not theoretically.

The people are an irresistible force; and thus you have the power to preserve peace when it is properly implemented. Science and mathematics will not discredit the premises and methods of the substitute resolution in the attainment of the objective. They will discredit the premises and methods of the Connally resolution.

The proposed substitute is a resolution to serve one master, and it would further the cause of freedom which is possible only in government of, by, and for the people. Senate Resolution 192 is a resolution to serve two masters and would further the cause of pawndom, which is government of the politicians, for the people, by the politicians.

The Fulbright and the Connally resolutions are both simple declarations of our national post-war policy. This at least is the claim of those who propose and defend them.

I do not agree. I believe both documents to be dangerous in the extreme, bartering away our sovereignty for no apparent return.

Its future interpretation can involve us in the affairs of every nation perpetually and can keep us sending armies to all parts of the world forever.

Therefore, I oppose both resolutions. I have carefully scrutinized the course of this movement, the men, methods, and arguments

involved in promoting what is a world monarchy.

Both resolutions favor peace but propose to maintain it by force and aggression. This sounds to me like a contradiction in terms, involving false premises and conclusions, which will leave the peace of the world disturbed for generations.

Their passage without amendments means the surrender of our independence against our will and without our consent. Nowhere in our Constitution is there a provision for the surrender of our independence, either by charter, proclamation, doctrine, resolution, or treaty.

The success of these resolutions will create the greatest danger that has faced this Nation since its birth, and the accomplishment of the purpose would be the death of it. Wittingly or unwittingly, it will be either ignorance or cupidity of our representatives that will permit the passage.

I ask them in the name of God and our country by their ballot to defend the very thing that our armed forces, at their command, are defending with their lives.

The objective of both the Connally resolution and the substitute I propose is apparently the same, a post-war plan for peace; but the premises for its accomplishment between the two differ in the following respects:

The Connally resolution provides that the United States shall cooperate with its comrades in arms. The substitute provides that it shall cooperate with other free and sovereign people.

The Connally resolution provides that the United States shall act through its constitutional processes. It does not disclose the method by which this proclamation will become an obligation on the citizens of the Nation; and furthermore it is indefinite and subject to subtle interpretation.

The proposed substitute provides that the United States shall act through the "divine formula" for peace and tranquillity—good will—article V and amendments IX and X to the Constitution, which is in strict conformance with moral and natural processes and our constitutional provisions.

Article V provides for changes; amendment IX provides for the sovereignty of the people; amendment X provides for the sovereignty of the States. This is our constitutional process in the purpose proposed, and gives the ingredients that have made us a sovereign nation. The method is that, when the testamentary has been prepared, and before it is executed, adopted or ratified, the voting citizens of the United States shall be summoned for their verdict by ballot.

In conclusion, this substitute asks only that the method provide that the voice of the people of this Nation shall prevail factually, not theoretically. This will further the cause of freedom, where the Connally resolution would further the cause of pawndom.

## REPORT OF COMMITTEE ON FINANCE

Mr. CLARK of Missouri, from the Committee on Finance, to which was referred the bill (H. R. 800) to provide for the issuance of a flag to the nearest relatives of certain persons who die in service in the land or naval forces of the United States, reported it without amendment and submitted a report (No. 509) thereon.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HILL (for himself and Mr. MEAD):

S. 1500. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended,



for the purpose of clarifying its provisions with respect to its application to certain officers in the executive branch of the Government; to the Committee on Civil Service.

By Mr. BUSHFIELD:

S. 1501. A bill for the relief of the Rau Motor Sales Co.; to the Committee on Claims.

By Mr. WHEELER:

S. 1502. A bill to transfer funds of the Blackfeet Tribe now on deposit in the Treasury of the United States to the treasurer of the Blackfeet Tribe of the Blackfeet Indian Reservation, Mont., and for other purposes; to the Committee on Indian Affairs.

By Mr. MALONEY:

S. 1503. A bill for the relief of John H. Gradwell; to the Committee on Claims.

By Mr. TRUMAN:

S. 1504. A bill to extend the time for completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.; to the Committee on Commerce.

By Mr. CLARK of Missouri:

S. 1505 (by request). A bill to continue the pay of all persons serving in the armed forces of the United States for 6 months after the termination of the present conflict;

S. 1506. A bill to amend part VII of Veterans Regulation No. 1 (a), as amended, to make further provision for the rehabilitation of honorably discharged World War No. 2 veterans;

S. 1507. A bill to amend part VII of Veterans Regulation No. 1 (a), as amended, to make further provision for further education of World War No. 2 veterans under laws administered by the Veterans' Administration; and

S. 1508. A bill to provide effective date of awards of death pension or compensation in cases of persons missing or missing in action to authorize payment of such benefits from the date of death of such person as reported or found by the Secretary of War or the Secretary of the Navy, and for other purposes; to the Committee on Finance.

#### INQUIRY RELATING TO AGRICULTURAL FERTILIZERS

Mr. SMITH submitted the following resolution (S. Res. 200), which was referred to the Committee on Agriculture and Forestry:

*Resolved*, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the supply, production, distribution, and sale of fertilizers for agricultural purposes. The committee shall report to the Senate at the earliest practicable date the results of such study and investigation, together with its recommendations for necessary legislation.

#### NAVY DAY ADDRESS BY ADMIRAL ERNEST J. KING

[Mr. WILLIS asked and obtained leave to have printed in the Record the address delivered by Admiral Ernest J. King at the Navy Day celebration in Indianapolis on October 27, 1943, which appears in the Appendix.]

#### THE FUTURE OF AVIATION—ADDRESS BY CHARLES I. STANTON

[Mr. CLARK of Missouri asked and obtained leave to have printed in the Record a radio address on the subject The Future of Aviation Is Your Business, delivered by Charles I. Stanton, Administrator of Civil Aeronautics, October 29, 1943, which appears in the Appendix.]

#### POST-WAR PEACE—ADDRESS BY JOHN FOSTER DULLES

[Mr. BALL asked and obtained leave to have printed in the Record an address by

John Foster Dulles, chairman of the committee of the Federal Council of Churches of Christ to study bases of a just and durable peace, delivered at the opening of the Christian mission for world order at the Cathedral of St. John the Divine, New York, October 28, 1943, which appears in the Appendix.]

#### COURAGEOUS SENATORS—EDITORIAL FROM CHICAGO TRIBUNE

[Mr. WHEELER asked and obtained leave to have printed in the Record an editorial entitled "Courageous Senators," published in the Chicago Daily Tribune of October 30, 1943, which appears in the Appendix.]

#### TRIBUTE TO JUDGE J. F. T. O'CONNOR BY REPRESENTATIVE WILLIAM LEMKE

[Mr. NYE asked and obtained leave to have printed in the Record a statement entitled "Doings in Congress," by Representative WILLIAM LEMKE, paying tribute to Judge J. F. T. O'Connor, which appears in the Appendix.]

#### THE PEOPLE AND THE NAVY—EDITORIAL FROM SHREVEPORT TIMES

[Mr. OVERTON asked and obtained leave to have printed in the Record an editorial entitled "The People and the Navy," published in the Shreveport (La.) Times, of October 29, 1943, which appears in the Appendix.]

#### CONDITIONS IN YUGOSLAVIA

[Mr. REYNOLDS asked and obtained leave to have printed in the Record an article entitled "Nazis Stir Up Rival Factions—Yugoslavs May Turn on Invading Allied Army," published in the Washington Daily News on Monday, November 1, 1943, which appears in the Appendix.]

#### CANADIAN SOVEREIGNTY

[Mr. GILLETTE asked and obtained leave to have printed in the Record an editorial entitled "Canadian Sovereignty," published in the Toronto Mail and Empire of October 27, 1943, which appears in the Appendix.]

#### BEWARE OF A SUPERSTATE—EDITORIAL BY EDWARD J. MEEMAN

[Mr. STEWART asked and obtained leave to have printed in the Record an editorial entitled "Let's Cooperate to Enforce Peace, but Beware of a Superstate: Let Nations Stay Free," by Edward J. Meeman, editor of the Memphis Press-Scimitar, which appears in the Appendix.]

#### IMPORTANCE OF CONNALLY RESOLUTION—ARTICLE BY GOULD LINCOLN

[Mr. MCFARLAND asked and obtained leave to have printed in the Record an article relative to the pending Senate Resolution 192, written by Gould Lincoln and published in his column, The Political Mill, in the Evening Star of November 2, 1943, which appears in the Appendix.]

#### DISTRIBUTION OF FARM INCOME AND THE BOXCAR SHORTAGE

[Mr. LANGER asked and obtained leave to have printed in the Record two articles, one entitled "Farm Income Unevenly Distributed," and the other entitled "Boxcar Shortage Hits Co-ops," published in the G. T. A. Digest of September-October, 1943, which appears in the Appendix.]

#### VICTORY ON THE FOOD FRONT

Mr. WILEY. Mr. President, yesterday the Senate had a message from the President relating to food, and the distinguished Vice President some days ago discussed the food situation.

An elementary review of the food front discloses one simple fact—our strategy

on the food front has not been so effective as our strategy on the military front.

We need the greatest possible food production in order to win a total victory and an effective peace.

For many months we were living on 1942 food production, and despite optimistic administration statements about the extent of our food production, the grim specter of hunger actually began to stalk in the shadows of black markets and food shortages.

Last year's harvest gave us a yield 12 percent greater per acre than ever before in our history. Production of meats and fats hit a high point. In 1942 the Allies did not have to worry about famine because we had a bumper crop.

That crop is gone now. We cannot always expect bumper crops. Consequently, we have to place our reliance on average yields which, with increased acreage, will bring us adequate food.

Lack of farm manpower and lack of farm machinery has cost us some 47,000,000 acres of production, according to former President Herbert Hoover. Our food supplies are dwindling, and our demand is rising.

Our field-crop production will be 7 percent below last year's record levels. The feed grains we have raised will not be sufficient to maintain our present rates of livestock and poultry feeding. We will have a large corn crop, and large potato and bean crops, but we will have 10 percent less fruit of all kinds.

The aggregate tonnage of the eight principal processing vegetables will be about 7 percent below last year's levels. The total canned pack of vegetables this year will probably be somewhere between 5 and 10 percent smaller than that of last year.

Why are there food shortages? The answer, in part at least, is simple. Government has not used common sense in its planning.

Let us discuss briefly some of our food policy shortcomings, and the remedies for them.

We are soon to face a food crisis. That food crisis could determine the course of the war, and it could certainly determine the stability and permanency of the peace. Yet, despite the importance of the food front, we face a food crisis—face it without a completely workable food program.

What is the first and most obvious shortcoming in this connection? It is the lack of a centralized direction for food production. At the present time there are five men who have leading posts in our food administration—but there still is not one central authority. There still is not any one man who can survey the over-all food picture, and determine just where food processors and canners fit into that picture. There still is not any one man who can definitely establish the vital relationship of food processing and food preservation to food production itself. There are too many food agencies, and too much division of authority. Too many cooks and too many recipes are spoiling the broth. Changing cooks every now and then will not accomplish the job. We need to fire

all the extra cooks, and then have just one cook with just one recipe.

The War Food Administrator does not have adequate authority. He functions in a fantastic Alice in Wonderland set-up in which he shares ultimate authority with the Director of Economic Stabilization and the Director of War Mobilization. Recommendation No. 1 is that we settle our management problem now, and place final authority for the food program in one centralized source. Experienced men must be called in to organize a single, workable program, to be directed by a single authority.

What are some of the elements which must be considered in that program? To begin with, it must be a program which lodges adequate power in the War Food Administrator. It must also establish public responsibility for the program in the Administrator.

Secondly, while authority is centralized, administration must be decentralized from bureaucratic Washington to the production areas themselves. Rationing and regulations must be administered locally, in accordance with localized needs.

The program must continue to maintain those policies now under way which are designed to preserve our farm manpower. Along with this program, however, it will be necessary to give further attention to the farm machinery program.

It seems elementary to state that our machinery must match our acreage requirements, but this obvious fact has been consistently overlooked in governmental planning. We are planning now on supplying 80 percent of the farm machinery requirements of 1940 or 1941. That is the bedrock minimum for a normal planting next year. But the requirements for next year will be above normal.

We should study the possibility of limiting our price control to basic items; and if we are to have price controls, we had better consider establishing them at all levels. In any event, the control and rationing regulations must be greatly simplified. The retailer's job ought to be simplified. Production should be underwritten by guaranteeing to producers, long in advance of planting and breeding seasons, minimum prices for their products.

As to grade labeling, I do not think there is any room in our food production planning for experiments along that line. The average individual spends 4 percent of his food budget for canned products. He spends about 16 percent of his budget for fresh fruits and vegetables.

During the first 14 months following the issuance of general price regulations, food prices as a whole advanced 24 points, though the retail prices of canned foods advanced only 10 points for the same period. Canned foods have had the smallest percentage of price increase of any food. There have been fewer violations in canning price controls than in other fields. The over-all food program should take cognizance of these facts.

I shall not take time to discuss, or even outline, all of the many elements which must be considered in an over-all food program, but I do want to say that it is imperative for us to organize our domestic program in the immediate future, or we shall find some of our existing domestic program more or less permanently enshrined in a world-wide program for the control of farm-commodity production and prices.

We know the administration contemplates a world-wide triple-A, a world-wide surplus commodities disposal plan, and some type of a world-wide ever-normal granary.

Frankly, at first blush, that looks as though we may be contemplating the perpetuation on an international scale of some of our domestic blunders. Our ever-normal granary cost us tremendous sums, and did not do the job. Our Federal Farm Bureau hit bottom when it tried to stabilize wheat and cotton prices against the dwindling demand from 1929 to 1932. The Commodity Credit Corporation was distorted from its original purpose to serve as a price-raising machine. Such an organization operated on a world-wide scale would run up a fabulous deficit of many billions.

Now, what about the food policies for 1944? Well, the administration has consistently written its food-production policies in the shifting sands of day-to-day expediency, and I doubt if there is anyone who can predict what 1944 food policies will be.

Probably the 1944 farm-production schedules will call for the use of every available acre of land—the use of every farming facility. Probably foods destined for direct consumption—dry beans, peas, wheat, vegetables, potatoes—will have first claim in the administration's program. Low-yielding feed crops will probably be displaced by high-yield feed crops.

The over-all feed supply will be about 18 percent smaller per animal unit, and consequently there will be a reduction in certain types of livestock and poultry—probably hogs, broiler-type chickens, and turkeys.

The War Food Administration will set up increased goals for wheat, soybeans, sugar beets, fresh vegetables, vegetables for processing, dry beans and peas, milk, beef cattle, corn, hay, eggs, and cattle for slaughter.

There will probably be decreases in hogs, sheep and lambs on farms, farm chickens, commercial broilers, barley, sorghum, oats, rye, and flaxseed.

We will probably be using about 380,000,000 acres of crop—the largest ever utilized by the country.

Despite these heroic goals, and despite the superhuman efforts of farmers, processors, canners, and all the other people involved in our food production, we will face a serious possibility of food shortage if we do not centralize our food authority and outline a definite program. I do not attempt to say what this program must be, but many excellent programs have been submitted by men who are actually on the food-production front. Any one of them would probably

be better than the constantly shifting, poorly defined, hit-or-miss, trial-and-error hodge podge which has been serving as a makeshift food policy. The sooner we recognize that food is a weapon of war, competitive with all other war materials, the sooner we shall have a workable food policy.

The same chemicals that go into explosives also go into fertilizers; the same seed that could go into livestock feed can be used in the production of alcohol or can be ground for oil; the same steel that could go into tractors or milk cans may be used for tanks.

It is up to us to strike the best possible balance—one which will allocate sufficient acreage, manpower, and materials to our farms so that our fighting front and our home front can be maintained.

It is difficult to believe that our acreage increases will keep pace with war requirements. It appears inevitable that there will be shifts to new types of food—soya flour, for example. There will certainly be some sort of a trend toward compressed and dehydrated foods. One scientist in the Department of Agriculture has already developed ration foods—adequate for a day's means—which will fit into a candy box. Of course, these foods must be rehydrated before consumption.

It is interesting to note that 25 bombers could carry enough of these packages to feed all Athens for a single day. Think what that may mean in the post-war period. Think what it may possibly mean today in times of transportation shortage.

As to steel, we know that it takes 18,000 tons to make the cans for 5,000,000 cases of evaporated milk. We know that it takes steel to make cans for vegetables; and we also know that if many of our crops are not canned the crops will go to waste—and that is criminal in a time of grave potential food shortages.

I do not know precisely what the administration will do with respect to the allocation of materials to the canning industry; but regardless of what allocations are finally determined, it seems likely that there will be some increased emphasis on food-freezing programs. It is alleged that an expansion of our frozen-food capacity by some 75,000,000 pounds would require less than half as much steel as would be needed to put that much food into cans. It is further contended that if no new storage facilities had to be built, only a twentieth as much steel would be needed to freeze the food as to can it. The proponents of frozen-food facilities also claim that it would take 1,860 less freight cars of 46,000-pound capacity to transport the frozen food than to move it in canned form.

Expansions for the frozen-food industry have already been authorized. How this will affect the canning industry, it is difficult to say; but at least it is well at this time to be aware of these trends so that we can plan intelligently for the future.

The canning industry has accomplished an outstanding job on the food



front. It has rendered a tremendous service to the Nation in spite of the handicaps of severe labor shortages, shifting price policies, poorly planned restrictions, and general food Government directives and interference. Not all the Government regulations have been bad—but a good many of them have. The great canning industry has patriotically and constructively worked on the home front to provide one essential requisite for victory—food.

I believe that we will do some intelligent planning, and I have faith that we will meet the food crisis. I also believe that this entire food problem is closely linked to the Armistice Day which we are soon to observe.

Our solution of the food problem will determine to a large degree whether the armistice of this war will be a hollow mockery or the beginning of a new era.

Just a year ago, on November 11, we received word that the French Fleet and some of the French fighting forces had joined the Allies. Twenty-five years ago the Allied Nations had terminated one of the bloodiest wars in history. Today, a quarter of a century later, we are engaged in an even more terrible war—and today we have an even greater responsibility to our fallen heroes.

Part of that responsibility is the solution of the food problem so that we may have ample food not only to win the war, but to preserve the peace for which those men have fought. Our job today is to keep faith with the men of Bataan and Corregidor and Africa and the beach at Salerno.

There are still great forces here in America which enable us to maintain our hope for a peaceful world. Here in America we have met the challenge of this war with the vision and initiative of a young people. We are casting off the prophets of despair who thought that there were no new horizons for America. We are experiencing a new sense of unity. We are beginning to measure our policies by the yardstick of the general welfare, rather than by the needs of particular pressure groups.

All of this means that we must let the world know now that we mean business in seeking a way to secure world peace. It is not enough for us to pass pious resolutions expressing a devout hope for world peace. We must mean them, and we must be willing to make them stick.

There is imperative need for understanding rather than underestimating the tremendous extent of the task confronting us before the war can be won. There is the imperative need for working out complete accord between the United Nations throughout the war effort and in the post-war period. There is an imperative need for making certain that America will be strong and secure—secure from attack from within and without.

In all this, food will play an important role. On this day, while we are still engaged in another great war, it is well for us to realize that there can never be world peace while men are hungry. There can never be peace while there is famine. Dictators and unrest lurk in

the shadows of breadlines. Revolutions and wars are bred when men are starved physically and spiritually.

To the extent that we succeed in feeding men's bodies and men's spirits—to that extent alone can we dream and hope for an abiding peace.

#### COLLABORATION FOR POST-WAR PEACE

The Senate resumed the consideration of the resolution (S. Res. 192) declaratory of war and peace aims of the United States.

**THE VICE PRESIDENT.** The question is on agreeing to the amendment of the Senator from Connecticut [Mr. DANAHY] to insert a new section after line 9, upon which the yeas and nays have been ordered.

Mr. TUNNELL obtained the floor.

Mr. TRUMAN. Mr. President, will the Senator from Delaware yield to me?

Mr. TUNNELL. I yield.

Mr. TRUMAN. I wish to say to the distinguished and very accommodating Senator from Delaware that I desire at this time to make a short statement because I have official business which obliges me to leave the Senate for the time being.

Mr. President, I am rising to express my conviction that the amendment offered by the junior Senator from Florida [Mr. PEPPER] and other Senators, including myself, should be adopted. It is my opinion, amply supported by able arguments made on this floor by the co-authors of the amendment, that the Connally resolution is not specific, that it does not specify the establishment of an organization with power to act in order to prevent aggression of such outlaw nations as Germany, Fascist Italy, and Japan, and that it does not authorize the grant of power necessary to enforce decisions.

It is gratifying to read of the successful conclusion of the Moscow conference and to find the great Secretary of State of the United States expressing the opinion that the agreement is the end of isolationism. But, Mr. President, isolationism cannot end and will not end unless the Senate is willing to end it. A small group of wilful men kept us from assuming our world obligations in 1919-20, and the same thing can happen again. I am just as sure as I can be that this World War is the result of the 1919-20 isolationist attitude, and I am equally sure that another and a worse war will follow this one, unless the United Nations and their allies, and all the other sovereign nations, decide to work together for peace as they are working together for victory.

I want this greatest of legislative bodies to go on record in no uncertain terms that it will not again contribute to a condition that will cause another world war.

Therefore, I am supporting the amendment offered by the Senator from Florida and other Senators to the Connally resolution.

Mr. HATCH. Mr. President, will the Senator from Delaware yield to me for a moment?

Mr. TUNNELL. I yield.

Mr. HATCH. Mr. President, I have received a telegram relating to the pend-

ing resolution and the amendments proposed thereto, from a very earnest and sincere man, Mr. G. Ashton Oldham, of Albany, N. Y., which reads as follows:

ALBANY, N. Y., November 1, 1943.

CARL HATCH,

Care Senate:

Greatly appreciate the effort you and co-author of Senate Resolution 114 are making to strengthen Connally resolution. I hope Senate will pass resolution containing essence of paragraphs 4 and 5 of your resolution, thus confirming more closely to joint declaration of the churches.

G. ASHTON OLDHAM.

Mr. TUNNELL. Mr. President, I have listened very attentively to the debate on the pending resolution. I have received a statement from a man by the name of King, of Quincy, Mass. I do not know who he is or what he represents. I am somewhat taken by some of the things set forth in the statement, and I propose to read it to the Senate. It is very short:

World War No. 1, greater than all previous wars of the world combined, had a direct cost of over \$186,000,000,000 and over 13,700,000 lives.

The forces of liberty and law won the war; but then lost the peace.

Now, only 25 years later, we are in the midst of World War No. 2, even greater and more terrible.

The forces of liberty and law will again win the war; Will they again lose the peace?

The United States of America is the most powerful Nation.

After World War No. 1, we dominated the peace.

Then, because of politics and isolationism, we failed to join the League of Nations with its 42 nations (later 60) united for peace and justice.

Chiefly because of our failure to follow through what we began, the League of Nations failed in its accomplishments, and there evolved World War No. 2.

Have we learned our bitter lesson?

Have we profited by the calamity our failure brought upon the whole world?

Shall our continued blindness and stupidity lead to World War No. 3?

"Any man may make a mistake; none but a fool will persist in it." (Cicero.)

Mr. President, if we are satisfied with present world conditions we are wasting a great deal of time. I think each Senator and each citizen should ask himself the question whether he is satisfied with the world conditions as we now see them and whether the likelihood exists that, unless something is done, there will be a repetition of the present World War within the next 25 years.

As one of the Foreign Relations Committee who was not a member of the subcommittee appointed for the purpose of considering all resolutions concerning post-war relations, I desire to express my appreciation to the four Senators who have devoted so much time and attention to creating public sentiment for some form of international cooperation. For many months these four Senators have unselfishly devoted themselves to this cause. In my opinion they accomplished much in the way of affecting public opinion. I think the Senators who have in this discussion contributed toward the understanding of the American people of the purposes and intent of



the authors of the various resolutions deserve the commendation and gratitude of every American citizen. I particularly desire at this time to congratulate the members of the subcommittee of the Foreign Relations Committee who, while being accused of deliberately delaying the report, were in fact considering a problem which may affect the future of mankind. The resolution which was prepared by the subcommittee and recommended by the Foreign Relations Committee, without amendment, had the support of persons with entirely opposite views.

I desire to say that observing the members of the subcommittee and hearing their statements regarding the real position they had taken and the words they had been willing to substitute caused me to have an increased respect for the Senators who spent their time and their energy in the preparation of the resolution. Yet, I do not believe anyone who reads the resolution can say that it is either weak, vague, or innocuous. I know there are those who, without thought, it seems to me, say the resolution is weak. If it is weak to have the power which is suggested in the resolution, I do not know what weakness means. It suggests more power than has ever been wielded by any potentate in the history of the world; and to say that it is weak is a revelation to me.

It said that the resolution is vague. I do not see that it is vague. It sets forth exactly what it intends to do, what power it intends to grant, and the purpose of that grant if the opportunity arises. The men responsible for the resolution have performed a public service of great value.

I am one of those who have opposed the idea of presenting in the Senate a declaration as to a definite plan of post-war procedure. As to this particular question, I have found myself rather in harmony with the senior Senator from Maine [Mr. WHITE]. I believed it was not advisable to present a definite plan covering all the questions which we believe might arise. I still so believe. In the first place, I feared the effect on our relations with our allies. I feared the effect of the discussion in the Senate as to the pros and cons of such a plan, but I did not believe that was the only danger involved. I feared the division of public sentiment in America as to the details of any plan for international cooperation. I know of no way of assuring a division of public sentiment more certainly than to consider and discuss not only every question which arises but every question which we think might arise with reference to such a problem as that which faces the people of the world at this time.

With our constitutional system of ratification of treaties, any controversial matter is likely to attract to each side more than one-third of the Members of the United States Senate. The present discussion demonstrates the danger of any premature division of public sentiment. In the Senate practically all Senators who have spoken have been united on the general question, and yet there is a division of sentiment. The discussion

in the Senate proves that public sentiment in America could easily be divided on matters which do not at this time need to be discussed in the determination of a post-war policy. The debate in the Senate has developed into a contest between Senators who favor the establishment and maintenance of an international authority with power to prevent aggression and other Senators who favor the establishment and maintenance of an international organization to promote cooperation among nations, with power to settle international disputes peacefully and with power, including military force, to suppress military aggression. In other words, the contest is one between those who believe in the declaration of a policy to enforce international peace, but who do not favor the detailing of specific plans at this time, believing that such plans properly belong to the discussion and language of the peace treaty when it shall be written, and those who insist on a more specific resolution. A majority of those who have opposed the resolution reported by the Committee on Foreign Relations have stated that they desire more specific details relative to the powers referred to in the resolution. Thus far a majority of the Senators who have participated in the discussion in the Senate are practically in agreement that the Senate of the United States should declare for some policy of international cooperation to enforce the peace. I think there has been only one Senator who, during the debate, made a speech against that general proposition.

It is interesting to consider the points of agreement between the Connally resolution and the Pepper-Ball amendment, as well as the differences between them. In both the Connally resolution and the Pepper-Ball amendment the language of the first and second paragraphs is identical. As I have understood the objections to the Connally resolution by those who favor the Pepper-Ball amendment, it seems to me the disagreement arises with respect to certain words or phrases among the 36 words of the third paragraph of the Connally resolution. Since the last 9 words of the Connally resolution are identical with the last 9 words of the Pepper-Ball amendment, the disagreement must be entirely with reference to the first 27 words of the Connally resolution. Since the first 11 words of the Connally resolution are identical with the first 11 words of the Pepper-Ball amendment, I arrive at the conclusion that the disagreement is entirely with reference to what is contained in the 16 words of the Connally resolution, which are as follows:

Free and sovereign nations in the establishment and maintenance of international authority with power to prevent.

I am not one of those who believe that the pending matter is one of definition. I do not think the issue can be drawn that close. I think the question is one as to whether the Senate of the United States desires to make a declaration to the world that it favors some form of enforced international cooperation after the present war. The difficulties in reaching agreement are multiplied, it

seems to me, by reason of the ghost of the League of Nations and the debates as to the existence of the League, after the First World War. If one is to criticize the Connally resolution because it does not set out an international plan, the criticism is correct. From Webster's dictionary, I find one of the definitions of the word "plan" to be "a way proposed to carry out a design." "Policy," by the same dictionary is defined as "a settled or definite course or method adopted and followed by government, institution, body, or individual." It seems to me that the difficulty among a great many of those who have disagreed as to the various resolutions has arisen because some have insisted upon a definite plan with all the details, while others, including the subcommittee of the Foreign Relations Committee, believe that the designation of a policy is sufficient, and is all that should be agreed upon at this time.

I am one of those who believe that at this stage of the World War a definite plan which would specifically either include or exclude certain details might be more embarrassing than helpful in the preparation of the peace treaty. The declaration of a policy by the United States or by either branch of Congress is a matter for the United States or the particular branch of Congress. The agreement upon a plan or treaty of peace must be a plan agreed upon by the various nations ratifying such a treaty. This is not our work alone. We can very well declare for a policy such as that of the Connally resolution, in the hope and on the theory that other nations may agree as to the same general policy. No other nation can take exception to the fact that the United States Senate favors a policy of agreement with it.

The probability that any human being, or any group of human beings, could at this stage prepare a treaty of peace which would include an entire plan which would be appropriate at the end of the war is extremely unlikely. That any group or collection of human beings could prepare any plan for the peace treaty which would not include something not desired or advisable in the treaty of peace is also extremely unlikely. I am, therefore, forced to the conclusion that a complete plan for the peace treaty suggested by the United States or by either branch of its national legislature might be a source of annoyance to other nations who might participate in the preparation of the peace treaty. Such a plan might very easily be considered by many of the Allied Nations as an attempt on the part of the United States to dictate to the rest of the world the details of an agreement to be entered into in the future by nations which might not only be unfavorably impressed by such a move, but might be prejudiced against the attempt of the greatest Nation in the world to dictate the details of a plan, some of the provisions of which might even appear more or less ridiculous in view of the developments before the ratification of a peace treaty.

The discussion of any plan at this time partakes of the nature of a debate of moot questions which may never arise,



and which otherwise would not become matters of contention between nations. However, since these various resolutions are now before the United States Senate, and are subjects of discussion throughout the civilized world, our first question is to determine whether or not there should be any declaration of policy by which the Senate of the United States would declare itself in favor of international cooperation to prevent or suppress aggression. Many of us believe that the stake is of such momentous value that such a plan is worthy of the greatest effort. I am forced to the conclusion that the world must change its methods of settling international disputes. The present methods are those used in the main by savage man.

Yesterday we were told that possibly the pending resolution was no longer necessary because of the announcement of the successful conclusion of the Moscow Conference. I have examined all the statements which are available as to the Moscow Conference and its conclusions, and I find nothing which is contrary to the spirit of this resolution. I find nothing which in any way conflicts with the spirit of the resolution which we are considering. I do not believe that the United States Senate should simply endorse the Moscow Conference and its conclusions, and drop its own resolution. I see no reason why the Senate should not, if it wishes to do so, approve the provisions of the announcement from the Moscow Conference. I do not believe that the Senate should take that as the whole, and simply announce that it favors the conclusions reached there.

We have heard a great deal in the past year or two about the Senate taking its place in world affairs; that it should no longer listen entirely to the State Department or to the Executive. If such statements have any basis of reason, I think that the Senate should adopt its own resolution at this time.

As instruments of destruction increase in their effectiveness, the necessity of some great change in the settlement of international disputes is apparent to all, unless the population of the world is to be practically wiped out and civilization entirely destroyed. International morality has never been seriously considered by nations believing themselves to be wronged. Law recognizes the right of a man to kill or destroy when he is attacked with sufficient force to make such killing or destruction his only way of preserving life or protecting his property. A nation, as a matter of self-defense, resorts to any weapon by which it believes its continuance as a nation can be assured. At the beginning of the First World War we heard much about international law and its violation. We heard much about attacks by submarines and airplanes, without warning, on neutrals and civilians. Prior to World War No. 1, neutrals and civilians were recognized to have certain international rights. Ships of neutral nations were not sunk without notice. Nations at war attempted to protect civilians as far as possible. We are told that in the present war already 19,000,000 civilians have been destroyed, the great part of these in

violation of what we so recently considered international law. In World War No. 2, warring nations are using the submarine and attacking neutral ships without warning. All the warring nations are using the airplane to attack and destroy civilian population. As distance is wiped out and destruction of life and property increases, it is conceivable that methods of destroying whole nations at one blow may be developed. The principal nations in World War No. 2 are constantly watching for the use of new and more dangerous weapons. Each side stands constantly in fear of the invention and use of more terrible weapons of destruction of both persons and property. The discoveries of methods of preserving and keeping alive the human body in its weak, wounded and disabled condition do not compensate for the increased destruction of human life. In the destruction of human life, the men and women with the greatest prospects of individual success and of scientific development are not spared. The boys of America are taken from high school and placed in the military forces. Perhaps there may be education in military technique. One thing cannot be denied. The separation of the best and greatest prospects for civilian development of young men and women will have an extremely important effect upon the civilian development of the great nations of the future.

A couple of days ago I read a statement, the author of which I believe was a Mr. Kirschner, in which it was stated that there are 10,000,000 starving boys and girls in 4 countries of Europe. That is the number of children who are starving. The statement contained nothing about the millions of children who are half-starving and are being dwarfed in their development.

Not only the small nations which have been overcome by Axis domination, but the large and powerful of the United Nations as well, are paying a penalty which will shock and weaken civilization for generations. Methods of communication have brought nations so close in the matter of approach and attack that no nation can continue to consider itself safe from the perfidy or desire of any other nation which may believe itself to be wronged, or which may be motivated by ambitions or desires for territorial possessions or military power.

The great nations of the world, and particularly our own, are paying a tremendous financial penalty. It is not only the Government of the United States, or the government of any of our allies, or of our enemies that are in financial distress, but the individual fortunes of every man, woman, and child in the civilized world are being affected by this war. Businessmen are obstructed in their business operations. The tax collector, in order to preserve civilization under present methods, must take a very large part of the individual incomes of all men. War and war's inventions, as well as war's destructions, are giving a terrific jolt not alone to the lives of mankind, but to their assets, and to the tools and equipment which enable them to live civilian lives with comfort.

In the short period that I have been a Member of the Senate I have heard some of its most sincere Members express themselves to the effect that it was possible for the United States of America to stay out of European, Asiatic, and African wars. I do not now hear that argument used. Those who once used it believed it possible. They do not now believe it. In a war involving civilization and its continued existence, the greatest nation in the world cannot stand aloof and disinterested.

There was a time when we could declare the Monroe Doctrine with some hope of military enforcement of our ideas. The present war has shown that no nation in the world is capable of defending its colonial dominions or distant possessions. Holland has lost its Indies. Italy has lost its African possessions. Continental Germany is being closed in by the greatest military forces ever collected by the power of man. The United States was unable to protect the Philippines. Hawaii was the scene of the opening of the contest, or attack against the United States. France has lost not only its possessions, but its home territory. Great Britain, with its far-flung empire, some parts of which are basking in the noonday sun at each hour of the day, from a defense standpoint has been the most conspicuous failure of all the great nations. Great Britain's Singapore fell without a serious defense. Even the mother country was unable to defend either India or Australia.

What is the position of the United States in this situation? We have repeatedly declared that we have no territorial ambitions. In the present world situation, not only have we become responsible for the territorial solidarity of all the nations of the Western Hemisphere, but in an attempt at world domination by the Axis Powers we have been compelled as a matter of self-defense to help defend the territories of all our allies. In a struggle for the control of the world by one nation, the United States in self-defense must ally itself with the opposition, or take the chance of contesting alone with the remainder of the civilized world. If this had been, as many seemed to believe, simply another European war, a war between individual states with no ambition for, or possibility of, world domination, our country could well have afforded to take some chance of being attacked. In a contest which bade fair to place more than half of the world's population under the domination of a half-civilized yellow race, and the remainder under the domination of the totalitarian power centered in Germany, the existence of our honor, our lives, our property, and our freedom was at stake.

No one nation, including our own, is capable of defending its own territory and meeting its own commitments. We might as well face the fact; it is the situation we confront. I do not know whether colonization and territorial possessions are advantageous to any nation. I do not know whether they are beneficial to civilization. I do not favor placing all these positions and details in a declaration of policy. I believe that more



properly belongs to the peace table and the peace treaty. However, I am opposed to taking the position that we will have no part of such possessions, and at the same time assume the responsibility of defending the distant possessions of Great Britain, France, Holland, Italy, Germany, Japan, and even of continental Russia. This international game cannot and must not be played entirely for the purpose of using the military force of our country to preserve the territorial possessions of our allies, or those of our enemies, or those of our allies today who may be our enemies tomorrow. I do not favor such a plan. The plan which this Nation can subscribe to after the war shall have been concluded must be one in which there is some mutuality.

There must be some agreement by which the various nations of the world who participate in the formation of such an organization must pay, must work, and must assume responsibility somewhat commensurate with the advantages they are to obtain.

I believe that in this critical situation the United States cannot evade a world responsibility. It cannot evade a responsibility to civilization. It cannot evade a responsibility to itself. We cannot and dare not again sit idly by, diminish our Army, sink our ships, neglect our airplanes, while the war clouds gather, and then bankrupt our Nation and our citizens because the world has allowed an international mad dog to escape the kennel. We have had an interest in the European situation since the First World War. We shall have an interest at the peace table. We shall have an interest in post-war conditions, to make certain that there shall not be a recurrence of the calamity which has overwhelmed the world.

No citizen of the United States has a stronger feeling of pride in our great Nation than have I. No individual has a greater desire to preserve our Government free and apart from international complications. However, it is now apparent to all Americans that any attempt to dominate the world by any nation or combination of nations on the eastern continent must eventually involve the United States. This condition must not recur.

Shall the United States join with other nations in an attempt to preserve the peace, or shall we assume the full responsibility for preserving a world peace? Shall we undertake the policing of the whole world, and refuse the protection of our sovereignty to any part of the world? Shall we allow the benefits, if there are such, to flow to our trade competitors, and at the same time protect by the flag and armies of the United States the sovereignty and commercial supremacy of our competitors, with no participation therein by ourselves? In my humble opinion, the time has come when the United States must not only take part in the suppression of world eruptions, but must participate in the preservation of peaceful development and commercial growth throughout the world during peacetimes. I agree that Uncle Sam cannot be the policeman of the

world without pay, without thanks, and without appreciation.

I shall support the Foreign Relations Committee's recommendation because I believe that some form of declaration of policy should be adopted, and I believe this one to be sufficient. I shall favor this resolution, not because I believe it sets out the conditions necessary in a treaty of peace, but because it declares for a policy which I believe to be sufficient, and because it does not attempt to specify in great detail the means by which this purpose is to be accomplished. I have discussed one particular phase of the world situation which I think must be taken care of at the peace table, and have no desire to have those ideas or provisions incorporated into any resolution of policy. I desire to demonstrate, if possible, the desirability of having much in a peace treaty or a peace plan which cannot be included in a declaration of policy by the Senate of the United States.

Mr. President, we have tried isolation. The world has outgrown it. Our inventions and our growth have made a continuation of that policy impossible. Two world wars are sufficient to prove to 90 percent of the American people that the United States cannot stay out and refuse to participate in world struggles. The great military struggles of the future will necessarily be world struggles. Germany has proved that one nation uncurbed can, by alliances and military aggression, make itself a serious contender for world domination, and can destroy international good will from the face of the earth. Gentlemen, isolationism has failed. The American people recognize it. Its former advocates recognize it. We hear now instead of the word "isolationist" the word "nationalist." Instead of the word "isolationism," we hear the words "total isolationism."

There are those who point to the silence of Josef Stalin as the model of international statesmanship. I am not willing to concede that the American people are comparable to the Russian people in their experience as to freedom in government. I am not willing to concede that the United States Government has the power in the settlement of international disputes that Mr. Stalin has. There are those who insist that the United States should not make a declaration of policy. Millions are asking the Senate to make such a declaration. The world is demanding that the United States shall now state its policy as to whether it will again "run out" on all efforts at compelling international peace as it did after World War No. 1. The world, including our own citizens, is entitled to know that the Senate of the United States is in sympathy with humanity in its effort to prevent a third world war. Can this plan of international cooperation succeed? Can any plan of international cooperation succeed? I do not know. No human being knows. I can conceive of no organization, authority, league, or any other combination that will be a greater failure in preservation of peace or civilization than has been the failure caused by the attitude of the United States

after the last World War. Woodrow Wilson, with prophetic vision, foresaw this World War. He sincerely attempted to avert it. The United States was not quite ready to enter into any form of international cooperation. At any rate, two-thirds of the Senate could not be combined to make that momentous decision.

They decided to risk not alone our civilization, but the world's civilization on a chance. We are now paying the price of risking the chance that was taken. This war is the greatest struggle ever known to man, but the difficulties and the struggle facing civilization today in the war are far less than the problems which face us when we attempt to prevent a repetition of such wars. The preservation of world peace is far more difficult than the winning of a world peace by a world victory. Resolution 192 attempts to pledge the Senate to the policy of international authority with power to prevent aggression and to preserve the peace of the world. I presume that many military struggles would not call into operation the activity of such an authority. Such authority should not be compelled to participate in all military struggles. Had there been such an organization and such power applied in 1776, there would have been no United States of America. I presume that there will be other struggles for freedom; that there will be other international struggles between nations that have no dangerous significance.

This resolution in no way pledges the United States to participate in any particular aggression or in any particular war. It declares in favor of the power to do so. The resolution simply declares the belief of the Senate of the United States that the United States can, through its constitutional processes, join with free and sovereign nations in the establishment and maintenance of such authority. The authority shall have power to prevent aggression and power to preserve peace.

It is not my purpose to criticize the Pepper-Ball amendment. If it were here alone, my vote would be for it. If its purpose is to establish and maintain an international organization to promote cooperation among nations and to have authority to settle international disputes peaceably or with power, which includes military force, I think it has some merit. I am for the purpose of the Pepper-Ball amendment, but the resolution coming from the Foreign Relations Committee also has that objective.

At this time, for its psychological effect on the world, I believe, as I believed in the Committee on Foreign Relations, that the greater the degree of unanimity in the Senate, in the Nation, and in the world, for some plan, some authority to preserve peace, to prevent aggression, or suppress aggression, the greater its effect for good will be. Believing that nothing but a declaration of policy could get support approaching unanimity or be desirable at this time, I favor the declaration of policy contained in the resolution as it came from the Foreign Relations Committee.



I cannot agree that this declaration of policy is weak or vague. I cannot agree that the word "power" does not include the military. I cannot agree that the words, "prevent aggression and preserve the peace of the world" have no clear meaning, and do not include the suppression of aggression and the use of power in such suppression. I believe that the word "power" includes mental power, spiritual power, moral power, financial power, international power, as well as military power. When I hear it argued that a resolution which authorizes or approves authority with power unlimited is weak, I cannot understand that sort of argument. If this authority has the power, I do not think the criticism that it is weak in any sense applies.

However, there are those who fear the surrender of sovereignty by our Government. This argument was used in the Constitutional Convention against the ratification of the Constitution by the States. Had those who feared any agreement succeeded in preventing the ratification of the Constitution by the various States, there would have been no Federal Union, and there would undoubtedly have been a lack of development in North America comparable with the lack of development in some other sections of the world. It is not necessary or desirable that the United States surrender its sovereignty or any part thereof. The same sort of argument was applied to the far West when the settlement of that area was taking place. There were those who did not wish to give up what they thought to be their rights. The result was first what was known as the vigilance committees, and later there developed regular governments.

There are those who fear that in some way our joining or becoming a part of an organization having power to prevent the violation of all the laws of man and of mankind in some way makes us give up rights which we now have. It seems to me that the world wars have proven that no government is capable of protecting those rights. If an organization can be created which will be able to save our Government and our people and the people of the world from such a catastrophe as that in which the world is now engulfed, it is worth the effort.

It is not necessary or desirable that the United States surrender its sovereignty or any part of it. It is exceedingly desirable—it is necessary—that something be done by this generation to protect our descendants and our successors against the horrible conditions and results of international agreements such as were handed down to us by our predecessors.

Mr. President, I do not favor the surrender of American sovereignty. I do not favor the diluting of United States sovereignty, whatever that may mean. I, at least, do not like the word. I do not believe that either the surrender or dilution of United States sovereignty is necessary, or that it is necessary for us to do something as to world affairs under an agreement that we are doing without an agreement. Without any agreement

as to participation in the great struggles of the world, we have become one of the greatest contributors to the sacrifices to maintain world civilization. Let us not, as the prospect for victory increases, forget the terrible cost of the present struggle. Let us not fail to take every possible step that may accomplish the laudable result we all have in mind. Generations unborn will sing the praises of those with sufficient patriotism and sufficient foresight to aid in bringing about such a result.

However, we are told that if the resolution is agreed to no ratification of a treaty will be necessary, as the adoption of the resolution might be considered to be the advice and consent of the Senate in advance.

Yesterday we heard that question raised in the Senate. We saw the tenpins set up; we saw them knocked down. We heard it said that the President of the United States might be impeached, on the presumption that he might violate his oath and do what he should not do, or if he were not impeached the Congress could refuse to furnish him the money requested. Finally we were told that we would have to rely somewhat on the honor of the President of the United States. As I listened to the discussion I thought what a contrast there was between the standpoint of the members of the Foreign Relations Committee who went into a conference and discussed every possible phase of the situation without any malice or partisan bias so far as I have ever heard charged, and the contention which was made that the President of the United States may possibly one of these days fail to do what he should do. I cannot think of anything much more ridiculous than at this time to assume that we had better not agree to a resolution which we favor because it might be that some President may not do what he should do.

I do not believe that the nations of the world will accept this sort of an explanation of failure on the part of the Executive to submit a treaty to the Senate for ratification. I do not believe that other members of such organization or parties to such treaty would be content to accept the responsibilities placed upon them without a real assurance that the United States had legally agreed to assume its part in world policing, or in the enforcement of peace, or suppression of aggression, or the prevention of aggression. When it comes to writing the terms in the treaty of peace, all nations must perform their part. The United States cannot and must not be left to enforce world morality and guarantee world peace.

Mr. President, there are those who say that this resolution is too strong. I have more sympathy with those who make that statement than I have with those who say that the resolution does not mean anything, and personally I hope that no Member of the Senate will vote for the resolution on the assumption that it is not sufficiently strong. It is strong enough to include all the power necessary to do the thing it sets out to do, which is to preserve peace. I do not agree with those who claim that the res-

olution is too strong in its terms. I think after all we have to rely somewhat upon the intelligence and the foresight of those who will later have the responsibility of determining other momentous questions. The resolution can be too strong only for those who favor no resolution, who favor no authority, who favor no league and no organization, and who desire us to go back in our beliefs to a prewar period, and again deceive the people of our Nation into the belief that we can live separate and apart from all other civilized nations. This must not be. Whether any particular plan which may be suggested at the peace table or elsewhere may be implemented within the province of this resolution is to me not so important as to have a practically unanimous declaration of the Senate of the United States to a form of international cooperation in accordance with a policy which can be implemented by the provisions of a treaty of peace so worded as to protect and preserve not alone other Allied Nations, but protect and preserve, Mr. President, your children and my children, your grandchildren and my grandchildren, your property and my property, your flag and my flag, from such a catastrophe as has fallen on civilization in this era.

#### ORGANIZATION AND FUNCTIONS OF THE PUBLIC HEALTH SERVICE

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 400) for the organization and functions of the Public Health Service, which were, on page 5, to strike out all after line 11 over to and including line 19 on page 6 and insert:

Sec. 8 (a) For the purposes of this section—

(1) the term "full military benefits" means all rights, privileges, immunities, and benefits provided under any law of the United States in the case of commissioned military and naval personnel of the United States (including their surviving beneficiaries) on account of active military or naval service, including, but not limited to, burial payments in the event of death, 6 months' pay and allowances in case of death, veterans' compensation and pensions and other veterans' benefits, retirement, including retirement for disability, the rights provided under the Soldiers' and Sailors' Civil Relief Act, as amended, the National Service Life Insurance Act, as amended, travel allowances, including per diem allowances for travel without regard to repeated travel between two or more places in the same vicinity, allowances for uniforms, exemption of certain pay from Federal income taxation, and other benefits, privileges and exceptions under the Internal Revenue laws;

(2) the term "limited military benefits" means full military benefits, except veterans' compensation and pensions and other veterans' benefits, and eligibility under the National Service Life Insurance Act, as amended.

(b) Beginning with the date of enactment of this act, commissioned officers of the Public Health Service, regular and reserve (including their surviving beneficiaries)—

(1) in time of war, shall be entitled to limited military benefits with respect to all active service in the Public Health Service;

(2) while such officers are detailed for duty with the Army, Navy, or Coast Guard,



shall be entitled to full military benefits with respect to such duty:

(3) while such officers are serving outside the continental limits of the United States or in Alaska in time of war, shall be entitled to full military benefits with respect to such service.

(c) In time of war, the President may by Executive order declare the commissioned corps of the Public Health Service a part of the military forces of the United States and provide the extent to which it shall be subject to the Articles of War and the Articles for the Government of the Navy. Upon the issuance of such an Executive order, all commissioned officers of the Public Health Service, regular and reserve (including their surviving beneficiaries), shall be entitled to full military benefits with respect to active service rendered while the Public Health Service is a part of the military forces of the United States.

SEC. 9. Commissioned officers of the Public Health Service, regular and reserve (including their surviving beneficiaries), shall be entitled to receive the same benefits for injury or death in the performance of their duties as civil officers and employees of the United States under the United States Employees' Compensation Act of September 7, 1916, as amended: *Provided*, That any such officer or beneficiary of such officer eligible to receive any benefit authorized by this section who is also eligible to receive any payment or benefit (except the proceeds of any insurance policy) under any provision of law other than such act of September 7, 1916, as amended, on account of the same injury or death, shall elect which benefit he shall receive.

SEC. 10. The surviving beneficiaries of any commissioned officer of the Public Health Service, regular or reserve, who, since December 7, 1941, and prior to the enactment of this act has lost his life while on active duty in the Public Health Service or while detailed to the Army, Navy, or Coast Guard, shall receive 6 months' pay and allowances as provided in the act of June 4, 1920, as amended (U. S. C., 1940 ed., supp. II, title 34, sec. 943), and, unless entitled to compensation under the laws administered by the Veterans' Administration, shall receive the benefits provided under section 9 of this act.

On page 6, line 20, to strike out "9" and insert "11"; and to amend the title so as to read: "An act relating to the organization and functions of the Public Health Service, and for other purposes."

Mr. THOMAS of Utah. I move that the Senate concur in the House amendments with two minor amendments, one in section 8 (a) (1) about the middle of the first page of the House engrossed amendments after the words "burial payments in the event of death, 6 months' pay", to strike out the words "and allowances", and the other in the last line of the third page of the House amendments in section 10, after the words "Army, Navy, or Coast Guard, shall receive 6 months' pay", to strike out the words "and allowances."

The motion was agreed to; and the amendments of the House were concurred in as amended by the Senate.

#### COLLABORATION FOR POST-WAR PEACE

The Senate resumed the consideration of the resolution (S. Res. 192) declaratory of war and peace aims of the United States.

Mr. THOMAS of Utah. Mr. President, as a member of the subcommittee of the Foreign Relations Committee which

worked out the resolution now before us, I deem it proper that I should at least express myself in regard to the resolution. In doing so I realize that I shall probably repeat what has already been said, but in the repetition I hope to contribute to the discussion.

Mr. CONNALLY. Mr. President, I want the Senator to have an audience. Will the Senator yield so I may suggest the absence of a quorum.

Mr. THOMAS of Utah. Very well; I yield.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Pepper
Andrews	Guffey	Radcliffe
Austin	Gurney	Reed
Ball	Hatch	Revercomb
Bankhead	Hawkes	Reynolds
Bilbo	Hayden	Robertson
Brooks	Hill	Russell
Buck	Holman	Scruggs
Burton	Johnson, Calif.	Shipstead
Bushfield	Johnson, Colo.	Smith
Butler	Kilgore	Stewart
Byrd	Langer	Taft
Capper	Lodge	Thomas, Okla.
Caraway	Lucas	Thomas, Utah
Chavez	McClellan	Truman
Clark, Idaho	McFarland	Tunnell
Clark, Mo.	McNary	Tydings
Connally	Maloney	Vandenberg
Danaher	Maybank	Van Nuys
Davis	Millikin	Wallgren
Downey	Moore	Wheeler
Eastland	Murdoch	Wherry
Ellender	Nye	White
George	O'Daniel	Wiley
Gerry	O'Mahoney	Willis
Gillette	Overton	Willson

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Seventy-eight Senators having answered to their names, a quorum is present.

Mr. THOMAS of Utah. Mr. President, as a member of the subcommittee of the Foreign Relations Committee which reported the pending resolution, I deem it a part of my duty to explain my reasons for supporting the resolution. At the same time I wish to express my gratification at the fact that the Senate is considering such a resolution at this time. That, in and of itself, is to me a great victory.

I believe that the people of United States, as well as the people of the world who have wanted to see not only the war won, but the peace won also, have desired for a long time that some constructive sentiment be expressed by the Senate of the United States.

I believe that the action of the Senate in regard to the Treaty of Versailles, and especially its action in regard to the Covenant of the League of Nations, had a profound effect upon the world. The whole Congress accepted the Treaty of Versailles by resolution, after the Senate refused to accept the Covenant.

The entire world is wondering what the attitude of the Senate of the United States will be toward world cooperation in an attempt to expand and to make useful world government. I am sure that after the discussion, carried on in the way in which it has been carried on, there can be no doubt in the mind of anyone that the Senate of the United

States wishes to present a united front to the world when those who represent the United States assemble at a peace conference or during the time of treaty writing.

What happened in 1919 did great damage to America. While our negotiators were attempting to bring about agreement with representatives of other governments, the Senate took action which nullified much that was being done. We need a united front in foreign affairs in the making of peace quite as much as in carrying on war.

In one of the plays of Sophocles there is a wail by one of the characters, who asks the question, "Why is it that men unite so well for war, but never unite for peace?" The question probably can be answered by merely saying that peace is difficult and complex, while war is comparatively simple. There is but one objective in war, and that is to crush the enemy, while peace must be brought about through the processes of deliberation.

One of the greatest documents ever issued by a government was that which in the last war became known as the 14 points, a splendid statement, a wonderful war aim, which contributed toward bringing about the defeat of the enemy; but at the peace conference it was an out-and-out liability to the representatives of the government on whose behalf the 14 points were announced. Why? Because the 14 points were thought of as a great national aim for carrying on the war. They were an idealistic statement; and idealistic statements, when read into law, or when an attempt is made to put them into agreements, are really difficult, because the definition process makes them almost impossible.

Therefore, my first thought when I was placed upon the Foreign Relations Subcommittee was to attempt to do two things: First, to obtain a declaration on the part of the Senate which would contribute to the peace effort, and in no way interfere with the war effort; and second, to bring into actual operation that extremely important point of our Constitution which refers to advice and consent by the Senate.

During all the time I have studied the American Constitution, I have felt that a serious mistake was made in the interpretation of the phrase "advice and consent." When we make the motion in the Senate we consider it as a single act. Advice and consent have been deemed by practically all our Executives to be a single act, and probably they are recognized as a single act in other parliaments. Very likely they were a single act when the words were taken from British constitutional law and incorporated into our law. However, the fact remains that in creating the Senate of the United States, which was an entirely new thing, just as the federal system was a new thing in government and politics, it was assumed that the United States Senate would be the equivalent of a council of state. Someday I hope to see that status attained. Then democracy and representative government will be functioning



in our land in the way in which they should function.

Mr. President, government by deliberation is not easy. Dictators have one simple device, and it works. Government by coercion is quite simple, and it works. Government through the use of man's reasoning power, based upon the theory of democracy and upon the idea that first there shall be deliberation with freedom of speech, and then action, is the hardest kind of government to make function, because government by deliberation seems to be endless.

But we have made it work in the United States for 150 years, and as a result we have exemplified to the whole world that men can be free and yet be strong; that man can have his beliefs and his choice between this, that, and the other, and yet speak jointly with a power which the nations of the earth must respect.

Mr. President, the United States, and its type of government, are still not out of peril. I remember that in a debate in the Senate, when we were dealing with one of the pre-war measures, I made the statement that the United States was in peril. I felt it; I knew it. I realized the force of aggression in the world, and yet I knew that government by aggression could never be successful so long as government by reason and deliberation existed anywhere. I realized that at some time that type of weak government would be tested because I knew that in the beginning of his regime Mussolini had scoffed at the word "liberty," and that he had said it was time to drag the flag of liberty in the mud. That was a challenge to the Government of the United States and to the American people. We did not accept the challenge, but we know that had we accepted it we probably would have been wiser than we were.

Mr. President, there is memory in my mind, too, of the fact that immediately after the last World War—it was during the time of the worst inflation in Germany that I myself saw at first hand—the attempt was made deliberately to make it appear that the Treaty of Versailles was a wicked and a vicious treaty. Some Americans aided in the advancement of that idea. If we will but examine the discussions which took place in the League of Nations we will find that many persons spent more time discussing the inequities and injustices of the treaty than they spent in challenging the League or defending it as such. The first nation to walk out on the Versailles agreements had objected to a provision contained in the treaty in regard to itself. It was not to a provision contained in the League Covenant. It was easy for Germany to blame everything on a harsh, improper, and unjust treaty, and then to turn that psychology against collective security, and against cooperation for peace. It was extremely easy for Mussolini to shout that sanctions meant war. People in our country accepted and defended his definition.

Mr. President, I am glad that we have moved on to the place where we do not accept such contentions. Whether the

pending resolution shall be adopted, with amendment or without, we are going to accomplish in a dignified way that part of our constitutional scheme which every Senator, I am sure, wishes to see accomplished, namely, advice to the Executive, so that he will know that he has the backing of his Government when he speaks for it in international relations.

If that is the objective, the advice surely must be in very general terms or else it will become a liability at the time of negotiation. No one is wise enough to foresee the contingencies which may arise during the making of the peace, but all men are wise enough to say that we want the peace which may be achieved to work properly, and that we understand the basic and fundamental responsibilities which face the Government of the United States in assuring that it shall work successfully.

We know the weaknesses of the League of Nations. Selective security was provided for; the sanction idea was embodied; but there was no way of letting the will of the world be known except by expressing it, and there was no way of enforcing it.

We want to retain all the good which has come about through world organization, because by it great things have been accomplished in the last half a century for the good of the world, for the people of the world, and for the good of our own country.

We are party to much of the world cooperation, in fact, most of it. We do not want to have violence done to the progress which has been made in regard to arbitration. We do not want to have injuriously affected the progress which has been made in regard to labor aims and ideals. We do not want to destroy the progress which has been made in regard to the settlement of disputes by peaceful means. We want to preserve all the techniques which have been invented and used for good. Above all, we do not want to see violence done to one of the finest ideas that came out of Versailles, namely, the idea of a world trusteeship for backward peoples and for parts of the earth which cannot be represented under the definition of a free and sovereign nation. We do not want to have repeated the mistakes which were made in connection with the mandate system which came into existence. We want to correct those mistakes, and there is a way to correct them.

It may be worth while to spend a minute or so upon a concrete illustration of the type of mistake we wish to correct. The mandate theory was an advanced notion. The trustee idea was good. It meant the overcoming of actual conquest, and the ending, in theory, of the exploitation of backward peoples. So the world set up in theory a trustee system. But the agency which represented the world had no power to enforce its will. It selected as trustees entities which were more powerful than was the agency granting the authority. When the Mandate Commission of the League of Nations tried to speak to Great Britain, Great Britain did not listen. When the Mandate Commission of the League of

Nations tried to speak to France, France was too great to be bothered. Senators know the cases. When the Mandate Commission tried to speak to Japan, Japan would not even allow, for example, an inspection of her mandated territories. She broke her trust and there was no way of compelling her to enforce it.

Mr. President, the conditions to which I have referred can be overcome under the pending resolution. They can be overcome by proper world organization. The mandate system can be preserved, the trustee idea can be made a part of the world scheme, and backward peoples of the earth can be developed and not exploited.

Mr. President, I am not talking about mere theory when I change the word "exploitation" to "development." It was either in the parliamentary conference at Budapest or Paris that the committee brought in the report which referred to the "exploitation of backward peoples." I took the floor on the part of the United States, Mr. President, and told the conference the United States would never consent to any kind of a resolution which contained the words "the exploitation of backward peoples"; but, if the resolution were changed in such a way as to read "development of backward peoples," I thought the United States would adhere to it. I was surprised; my suggestion brought applause from every part of the conference. No one wanted to retain in theory, and especially in discussion, the idea of exploitation; all were ready for the idea of development. So the world is ready to move forward in world government under the leadership of a country such as ours, which has made Government function without taking away powers from individual entities.

Mr. President, the word "sovereign" appears in the pending resolution. When the conference of the Republican Party held at Mackinac Island on the Great Lakes began writing its resolution, I happened to be attending another conference which was discussing this very question. On first thought, I was sorry that a technical word such as "sovereignty" should enter into the discussion, because it was an extremely bothersome word in the making of the last peace; it was a bothersome word and a bothersome idea in the creation of our Federal Union; indeed, it was such a bothersome word in its tight definition that it actually caused a civil war in the United States. We had made the definition of "sovereignty" so tight, so strong, and so binding that we actually went to war over it. There was no difference between Mr. Webster and Mr. Calhoun in their definition of sovereignty. They both accepted exactly the same definition. Webster said sovereignty must be indivisible, and, therefore, it must vest in the National Government. Calhoun said, since sovereignty is individual, it must vest in the States; and so we had a civil war.

That is how serious definitions may become, especially when going through the evolutionary process of bringing about a great change in governmental habits and notions. When the Covenant



of the League of Nations was first presented one of the members of our delegation went to another member of the delegation and said, "I doubt very much whether I can accept this Covenant; I think it destroys the sovereignty of the individual nations who are parties to the Covenant."

The Senator from Michigan [Mr. VANDENBERG] in discussing sovereignty at the Great Lakes conference gave one of the finest definitions of sovereignty or the rights in regard to sovereignty that we have yet had when he said the basic notion of sovereign rests upon the ability of the sovereign to give away some of its sovereignty. I have not improved on the Senator's words, but I have done my best to express his idea.

I am glad, Mr. President, that the word "sovereign" appears in the pending resolution, despite the fact that it has been a troublesome word in the past, because it is essential in any world government that the greatest of all fundamentals in international law be preserved, and the greatest fundamental is absolute independence and sovereignty in the parties to a world government. Our Federal Union could never have functioned without some sort of arrangement whereby the last word of the State in regard to the things which are the State's could be maintained.

Sovereignty, thank goodness, too, has developed in another way, which is a helpful way from the American standpoint, and, therefore, a helpful way for the New World. Sovereignty today is invariably connected with those governments which function through and by law. The idea of sovereignty does not worry a man such as Hitler. He does not work through law; he does not respect the treaties which his state has made and which others in his state have agreed to. There can be no sovereignty where there is chaos, where there is coercion, where there is disorder. In such circumstances sovereignty is the first thing lost. The best illustration is probably what happens in any community when it is faced with a terrible disaster. If the city begins burning the first agency to be called upon is the waterworks; next the fire department, then the police, the soldiers, and on down the line. When the chaos resulting from the fire or disaster is too great for these agencies, which represent the sovereign will of the State, there is no sovereignty. Where chaos is too great, there is no sovereignty, and where coercion is too great there can be no sovereignty. The word has done great damage to political thinking, and yet it has been a constructive word in the evolution of government, especially of world government and in the advancement of our Federal ideals. Mr. President, we will never go forward in world organization and world cooperation in any other way except by using some of the techniques that have been evolved here in the United States where the Federal system was created.

That brings me to another reason why I am happy about the pending resolution and about the willingness of the Senate to adopt it. I want a new world

to go forward under American leadership, American responsibility, and American auspices, not because I depreciate the rest of the world, but because I have faith in our ability after 150 years of meeting our own problems. They have been great problems, but we have solved them without destroying the mighty fundamentals which were in the minds of the founding fathers when the Constitution was adopted. A reading of the works of Thomas Jefferson will disclose the finest arguments for the possibilities of a decent world order.

That brings me to the great differing point in the minds of those who have discussed the Ball-Hill amendment and those who have compared that proposal with the resolution reported by the Foreign Relations Committee of the Senate. The difference hinges upon the police power. When it comes to international discussions, police power causes just as much trouble as the concept of sovereignty, and yet there is no need for being troubled by that term if we realize from our own American experience that police power is not absolute at all times, functioning everywhere at all times, but is relative and may be highly localized. When it was suggested that there be adopted the theory of the League to Enforce Peace, to put power into the League of Nations, exactly the same answer was given by the conference in Paris which was given by our own Constitution, when its makers faced the same problem.

It was Madison who pointed out that if the Federal Government had power to send an army into one of the States, it would destroy the police power of the State. It was thought, therefore, that no peace could be established in the world by any enforcing agency. Yet an enforcing agency does not have to be strong, it does not have to do away with other enforcing agencies; it can remain in its own jurisdiction; it can have its proper place.

If, instead of an extremely powerful police force in the world, there should be set up a peace force with limited objectives, with limited jurisdiction, and with delegated authority, all the fears which have been expressed in the last 20-odd years could be overcome.

To illustrate how it can be done, I shall return to the mandate idea for a moment, and use an example from our own history to show how quite by accident our American Federal system turned from a league to an actual government because it had something to administer.

When the Articles of Confederation were proposed, there was disagreement among several of the States over that portion of the United States then known as the Northwest Territory. Before all the States would agree to the articles, they insisted that the rights and claims of the conflicting States be assumed by the whole United States; then the 13 States agreed to the articles.

In the establishment of the Northwest Territory as a territory to be administered by the United States, there was given a jurisdiction which had within it

police power and the power of administration over actual territory and actual people by the United States of America functioning under the Federation. Until that time there was no way for the revolutionary government to assert itself directly on any people or on any land, because there was merely a government representative of the various States, but with the creation of the Northwest Territory, the United States got a police power, the United States got an army, if you will.

If the mandated islands or the mandated territories are given over to an entity such as the United Nations, and they are invited to administer such territories as trustees for the whole world, and are given power to use all the rights of government in those territories, then the police power comes into existence without in any way frightening even the smallest nation in the world about the existence of a world police force.

Mr. MURDOCK. Mr. President—

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Utah yield to his colleague?

Mr. THOMAS of Utah. I yield.

Mr. MURDOCK. I am loath to break into my distinguished colleague's discussion, but if I do not interrupt him too much, I should like to do so while the Senator from Michigan [Mr. VANDENBERG], the Senator from Texas [Mr. CONNALLY], and my colleague the senior Senator from Utah [Mr. THOMAS] are all present.

I am very much disturbed about what happened here on October 29 in a presentation by the Senator from Connecticut [Mr. DANAHER] to the Chair, which at that time was occupied by the distinguished senior Senator from Illinois [Mr. Lucas]. The question was propounded whether or not the pending resolution, Resolution 192, meant anything, whether it was at all binding on anyone, or whether all the debate in the Senate for the past week was merely for amusement and entertainment.

If I understood the ruling at that time—and probably the ruling was correct, in view of the way the question was put—it was that if we adopted Resolution 192, or if we amended it by adding the amendment of the Senator from Florida and then adopted it, we would do nothing except express the sentiment or the conclusion of the Senate.

If I have understood the distinguished senior Senator from Utah, he takes the position that the treaty-making power as provided in the Constitution, so far as it concerns the Senate, is divisible; that is, that there are two functions which the Senate performs. One function is to advise, the other is to consent. Am I correct in that conclusion?

Mr. THOMAS of Utah. That is the point I tried to make in the beginning of my remarks.

Mr. MURDOCK. I think the Senator made the same point a few days ago on the floor of the Senate. As I view the proceedings of the Senate on Resolution 192, if and when it shall be adopted, we will have formally, under the treaty-making power of the Constitution, ad-



vised the Executive. Am I correct in that respect?

Mr. THOMAS of Utah. That is as I understand it. I think it is a very serious proposition.

Mr. MURDOCK. I should like to ask the Senator from Texas, if my colleague will yield to me, whether or not he takes the position that the resolution offered by him and reported by the Committee on Foreign Relations of the Senate was offered and was reported, and is now being discussed, as a matter of advice to the Executive under the treaty-making power, and should be considered as advice if it shall be agreed to.

Mr. CONNALLY. Will the senior Senator from Utah yield to permit me to answer?

Mr. THOMAS of Utah. I am glad to yield.

Mr. CONNALLY. I thoroughly agree with the Senator from Utah in his statement that the constitutional provision that the President may make treaties by and with the advice and consent of the Senate implies that the Senate has two varying functions. The advice provided for, according to my view, would be advice prior to the act of making the treaty, and it is not possible to have consent very well as to something until it occurs. Consent follows the doing of the act, in this case the writing of the treaty.

It might be said, of course, that any legislative body, under its inherent powers, could adopt a resolution expressing its views. We could probably adopt such a resolution as the one before the Senate if there were not any advice and consent provided for in the Constitution at all, but it is certainly my view that we are acting in pursuance of the "advice" portion of the constitutional provision when we adopt the resolution before us. It is perfectly clear to my mind that the makers of the Constitution intended that the Senate should exercise two functions, or it would not have used two words. It would have simply said "consent of the Senate," and left out all reference to advice. But "advice" presupposes, I am sure, that during proceedings, or in the process or formation of a treaty, the Senate would be at liberty, if it so desired, to advise the President. Then, after the treaty is made, it has no controlling effect, imposes no binding obligation on the United States, until it is brought to the Senate, then we give our consent or refuse our consent.

Mr. MURDOCK. If my colleague will yield further, I take the position taken by the Senator from Texas, and I am happy to know that he agrees with the two Senators from Utah that the powers are divisible, and that we are now exercising the power of advising.

I do not wish to take up too much of the time of my colleague, but I should like to have this question made perfectly clear in my mind.

Mr. THOMAS of Utah. I am glad to yield.

Mr. MURDOCK. If what we are doing is advising the Executive, certainly, if and when we adopt a resolution of advice, it should mean something to the Senate,

it should mean something to the President, and it should mean something to the people.

If my colleague will yield for another question, I should like to have an expression, if it is appropriate at this time, from the distinguished Senator from Michigan [Mr. VANDENBERG], as to whether he considers that in the consideration of the various resolutions which have been presented, and in the adoption of one of them, we are acting under the treaty-making functions of the Senate to advise the Executive as to some future treaty.

Mr. VANDENBERG. Mr. President, will the Senator from Utah yield?

Mr. THOMAS of Utah. I yield.

Mr. VANDENBERG. I am complimented to be included in this battery of experts, but I disclaim possession of any credentials which qualify me in the group.

So far as I am personally concerned, I consider that we are acting under the advice clause. I consider that, so far as I am concerned, when I cast my vote in favor of Senate Resolution 192, I have indicated to the Executive, a general attitude, for whatever it is worth, for his guidance, if he is in the slightest interested in my point of view, which would be a novelty, and I consider myself morally bound by the general attitude which I have asserted; but I consider that the Constitution also has given me the right under the consent clause ultimately to be the sole judge, on my responsibility, as to whether or not the President has implemented my advice the way I think it should be implemented.

Mr. MURDOCK. Mr. President, will my colleague indulge me for a moment or two longer?

Mr. THOMAS of Utah. I yield.

Mr. MURDOCK. I think, then, that the three answers I have received from three of the distinguished members of the Foreign Relations Committee, the distinguished chairman, the Senator from Texas [Mr. CONNALLY], the distinguished Senator from Michigan [Mr. VANDENBERG], and my distinguished colleague [Mr. THOMAS of Utah], all agree now that, in considering Senate Resolution 192, or any amendment to the resolution the Senate is proceeding under the treaty-making power under the Constitution as it affects and includes the Senate in advising the Executive.

Mr. President, under the treaty-making power—if I may have the indulgence of the Senate to read it—section 2, article II of the Constitution provides:

He shall have the power—

Meaning the President—

by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

That brings me to this point—and I want to make it with all the vigor and emphasis I can—that I consider that as a Senator of the United States I am participating in this debate, that I shall finally vote for the resolution which, I hope, will be agreed to, and if Senate Resolution 192 shall be adopted, it is my intention as a Senator to have expressed,

so far as I can, in general terms, my advice to the Executive Department of the Government, in broad terms, I admit, but nonetheless solemn. Because it is a comprehensive resolution, expressed only in broad terms, Mr. President, it is no less solemn than if it were detailed.

The question now arises in my mind, If we are proceeding under the treaty-making power under the Constitution as it affects and includes the Senate, and if and when we agree to the resolution we are advising the Executive as to the attitude of the Senate on this most important question, then does it not require a two-thirds majority of the Senate to adopt the resolution?

Mr. THOMAS of Utah. Mr. President, I would answer that question with a definite "No." In the first place we are simply in one stage of the treaty-making, if we accept it as that. We cannot by the adoption of the resolution take away the powers which are the President's. We cannot destroy his discretion. We cannot, of course, destroy the powers which still rest in the Senate of the United States to modify a treaty which is sent to us by the President.

Mr. MURDOCK. Mr. President, will my colleague again yield?

Mr. THOMAS of Utah. I yield.

Mr. MURDOCK. Certainly I do not take the position today that we in any way impair the right of the President under the Constitution, by the adoption of Senate Resolution 192, but I agree thoroughly with my distinguished colleague that we can divide the functions of the Senate under the treaty-making power of the Constitution, and we can advise the President at this stage of the proceeding, but later any proposed treaty must come back for the Senate's consent before it becomes effective. We cannot dissociate the two-thirds majority, however, from the treaty-making power, whether the Senate is exercising the power to ratify or the power to advise.

Mr. President, if my colleague will indulge me for a moment or two longer, the other day when we so lightly threw aside the efficacy and the solemnity and the meaning of the resolution by saying that it did not bind anyone, I think we certainly did not give due study, we certainly did not give due weight to that provision of the Constitution which allows and, I say, which makes it the duty of the Senate to advise the President on treaties.

If we take the position in the Senate that in advising the President under the treaty-making power a two-thirds majority is not necessary, and adopt the resolution by only a majority vote, of course the President and everyone else can very well say that we were not exercising our treaty-making function at all, because we did not insist on a two-thirds majority. But, Mr. President, if the resolution leaves the Senate of the United States with a two-thirds majority, then neither the President nor anyone else can say that we have merely conducted a debating society here in the Senate for the last 2 weeks. I hope that the Senate, when it acts in advising the Executive on treaties, will do so under



the constitutional procedure, and will do so by a two-thirds majority, if at all, and then it is done.

I thank the Senator very much for his very patient and generous indulgence.

Mr. THOMAS of Utah. I thank my colleague for his contribution to the discussion.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from Montana.

Mr. WHEELER. I partially agree with the Senator from Utah in this respect, that if the Senate adopts the resolution by only a majority vote, then, of course, the resolution is not binding upon the President of the United States or anyone else. But if we adopt the resolution by a two-thirds majority, then in my judgment it can be held to be not only advice to the President, but both advice and consent, because there is no question that we consent in general terms, as Mr. Hackworth has pointed out. Incidentally, Mr. President, Mr. Hackworth is not only the Solicitor for the State Department, but it will be noted that he is one of the American advisers at the conference held in Moscow. I do not think we can lightly disregard what Mr. Hackworth has said, particularly in view of the precedents to which he has called attention.

If I were to say to someone, "I consent that you shall act as my agent to enter into a contract in general terms," and if that person, as my agent, entered into the contract in general terms, the contract would be binding upon me. I, as the principal, would be bound by the contract entered into by my agent for me under the consent I gave him in general terms. I say that if we vote for the resolution by a two-thirds vote of the Senate of the United States we are advising the President, and if the President follows the general terms of the resolution—and they are extremely broad terms—as I have previously pointed out, it may include a military alliance, and if he should enter into a military alliance the Senate of the United States would have already advised and consented thereto. Then assuming that the President of the United States does exactly what has been done in previous treaty situations, and proclaims it as a treaty, what is the Senate of the United States going to do about it? If he proclaims it as a treaty after taking the advice of his Cabinet members and the advice of the Solicitor of the Department of State, and then says to the Senate, "You have already advised and consented to this kind of a treaty," what is the Senate going to do about it? How are we going to raise the question as to whether we have consented and advised? How are we going to question the treaty? My judgment is that the treaty will never be submitted to the Senate of the United States after a vote in the Senate on the pending resolution, if the Senate agrees to it. I hope I am wrong about it, and I wish I could agree with the views expressed by my colleagues; but I say that in my judgment the Senate will be agreeing to a very dangerous resolution,

provided it is agreed to by a two-thirds majority.

Mr. THOMAS of Utah. Mr. President, I missed the argument which has been referred to, and I realize that the statements which have been made are repetitions of what has previously been stated on the floor of the Senate. However, I think we should at least keep in mind one or two phases of the treaty-making power which have not been mentioned. In the first place, no foreign government has ever had anything to do with the pending resolution. In the second place, the President of the United States has not had anything to do with it as yet; and no matter whether it is agreed to by unanimous consent or by two-thirds vote or by a mere majority vote, the Presidential discretion cannot be destroyed. How in the world could the President of the United States ever proclaim a resolution of the Senate as a treaty without negotiating with some foreign country, and how could it be made binding?

Mr. President, I think sentimentally the arguments are fine; morally they are all right, too, in that they are used to show the important position the Senate has in connection with the treaty-making power and the seriousness of the present occasion; but if there is joint action between the Executive and the Senate in regard to the making of a treaty, and then if there are other actions in relation to other countries, the whole treaty-making process must be carried through all its channels before a conclusion can be reached about making it binding. On whom would the treaty be binding if the resolution were proclaimed by the President of the United States as a treaty?

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. MURDOCK. I agree with everything the Senator has said, with one exception. I do not have the same apprehension the Senator from Montana has about this matter. I have no doubt that we can advise in advance, under a resolution such as Senate Resolution 192, and that by merely advising we do not bind the Senate to consent later to a treaty built within the general framework of a resolution of advice. But I cannot follow the distinguished senior Senator from Utah when he takes the position that the treaty-making power is divisible, with advice on the one hand and consent on the other, and then takes the position that the Senate can advise without a two-thirds majority, but cannot consent without it. If that is possible under the Constitution, I am very much mistaken. If it is not possible, then I should say that when the Senate advises by a two-thirds majority it has said to the President, "We have acted, under the Constitution, by a two-thirds majority, and have advised you." Then, in my opinion, the Senate can expect action in conformity with its advice.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. THOMAS of Utah. I am glad to yield. I wish we could settle this ques-

tion right here, this afternoon. It would be desirable to do so.

Mr. WHEELER. The Constitution says "advice and consent." If the Senate can advise by a two-thirds majority, in advance, it can consent by a two-thirds majority, in advance.

Mr. THOMAS of Utah. Mr. President, we can advise without any majority. Advice happens to be a greatly expanded matter. The President has other advisers. Mr. Hackworth has gone to Moscow. His advice is valid. Whether it is accepted is quite another matter.

I think that in the acceptance of advice by the Executive and in entering into the agreement we get closer to the treaty than by merely giving plain advice. But, Mr. President, we cannot carry theories any further than they have been carried by my colleague the junior Senator from Utah [Mr. MURDOCK]. I can conceive of no way of binding the President even to negotiate a treaty against his will. The Senate cannot destroy his discretion. The Senate would destroy the Presidency if it did. When we enter into these theoretical discussions we must pay respect to every step in the process. The proclamation of the treaty is, of course, a Presidential function.

Mr. LUCAS and Mr. McCLELLAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield, and if so, to whom?

Mr. THOMAS of Utah. I yield first to the Senator from Illinois, who first addressed the Chair.

Mr. LUCAS. Mr. President, I was simply wondering on what basis anyone could conceive that the Connally resolution could be a treaty, in view of the general terms and language in which it is couched at the present time. I should like to know under what theory anyone could conceive that it could be a treaty, and with whom. It strikes me that the argument which has been made here has no basis whatsoever, because, under the Constitution, if it is anything at all, the resolution is merely advice to the President as to how the Senate of the United States feels.

But, Mr. President, more than that, if we were not in the position before the world in which we now are because of what happened following the rejection of the League of Nations in 1920, I dare say the pending resolution would not be before the Senate.

Mr. THOMAS of Utah. That is true.

Mr. LUCAS. In other words, as I view it, what the Senate has been attempting to do has been more to advise the world as to the position of the United States Senate, rather than to advise the President of the United States. Why did the House of Representatives agree to the Fulbright resolution? The House of Representatives has no power relative to treaties. It agreed to the Fulbright resolution as an expression, not to the President of the United States, but to the world, as to how the House of Representatives feels regarding world peace in the future. The House of Representatives is closer to the people than is the



Senate. As a result of what the Members of the House of Representatives found out when they returned home last summer, immediately after the House of Representatives reassembled they agreed to the Fulbright resolution, which in my opinion had much to do with what happened at the conference at Moscow. Not only that, but, in my opinion, the Connally resolution also had something to do with what happened at the Moscow conference. Cordell Hull knew that the Connally resolution, when the Senate finally got around to it in one form or another, would be agreed to by the Senate. He knew there would be only four or five votes against the Connally resolution whenever the Senate acted upon it. He transmitted that information to those at the conference at Moscow. So the Fulbright resolution and the Connally resolution, with the full realization by the powers represented at the Moscow conference that the one resolution had been agreed to and that the other would be agreed to by such overwhelming majorities, went far, in my opinion, in aiding Cordell Hull to obtain the kind of agreement which resulted from the Moscow conference. That is the important thing at this time, and not the question with respect to whether we are giving advice to the President of the United States by a two-thirds majority. That argument is fallacious from the beginning.

Mr. THOMAS of Utah. Mr. President, I am sure the Senator from Illinois will agree in connection with the argument which he puts forth as to how advice comes about, that not only did the resolution give Cordell Hull greater authority to speak for the United States, but it also gave the representatives of other nations information in regard to the stand of the United States, which made the resolutions adopted at Moscow—if we may call them resolutions—meaningful.

Mr. LUCAS. Certainly.

Mr. THOMAS of Utah. In that respect alone, the Senate has already expressed one of its advisory functions, in speaking for the people of the United States.

Mr. LUCAS. I concur wholeheartedly in what the Senator has said. He has only implemented what I attempted to say in the remarks which I made.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. McCLELLAN. It occurs to me that the House of Representatives has just as much right—though not a legal right by reference to the Constitution, by which the right is reposed in the Senate—to express its views and reflect the sentiment of the people of this Nation, as has the Senate. The fact that the Fulbright resolution was adopted by the House of Representatives by such a large majority evidently has influenced the result of the conference at Moscow. Instead of being derided for its action, I think the House is entitled to the praise and commendation of the people of the Nation. It is ahead of the United States Senate. We are here today debating and quibbling over words. The House has already

acted and advised as to the sentiment of the people of the United States. It has no constitutional function of consenting, but it has advised. Good can come from resolutions of that character. The fact that the Senate Foreign Relations Committee reported this resolution implemented what the House had already done, and fortified and reinforced the Secretary of State in the Moscow conference. As a result, today the world knows that the four major allies of the United Nations are ready to cooperate, not only to win the war, but also to win the peace. The enemies of this country know today that there is unity between us and our allies not only in bringing about military victory but also in the consummation of a lasting peace.

Mr. MURDOCK and Mr. LUCAS addressed the Chair.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Utah yield; and if so, to whom?

Mr. THOMAS of Utah. I yield first to my colleague.

Mr. MURDOCK. Mr. President, no one can be more emphatic in commendation of what has happened at Moscow than am I. I yield to no one in my conviction that the foreign affairs of this country are in capable hands, in the hands of our great President and the Secretary of State. In my opinion, they are so far out in front of the Senate that the adoption of a resolution at this time might be considered a very tardy thing; but we have the resolution before us.

It is easy to condemn the argument of another Senator as fallacious, and throw it out without consideration. I hope I shall never reach the point where I discard, without serious thought, the statement of one of my colleagues.

I did not arrive at my conclusion as to the two-thirds vote haphazardly. I went back into the history of the Senate and the history of the country. What do we find? We find that in the early history of the country, when President Polk asked the Senate for advice on a proposed treaty, he specifically stated in the message that he expected that the advice would come from the Senate by a two-thirds majority, indicating, as my distinguished colleague has stated, that the function of the Senate with respect to treaties is a divisible function—one to advise and the other to consent. On the other hand, President Polk, when he submitted that request for advice, specifically followed the Constitution of the United States and said that the advice should be given to him by a two-thirds majority if it was to be considered as at all binding upon him as President.

Senators are correct when they say that the House of Representatives had a perfect right to adopt the resolution which it adopted; but under the Constitution it has no power to advise the President in the making of treaties. That power is specifically granted to the Senate. The Constitution does not provide that we can advise by a majority vote, and later consent or ratify by a two-thirds vote. It provides that the President of the United States may make

treaties with the advice and consent of the Senate, by a two-thirds majority.

Mr. President, I do not depreciate at all the Connally resolution or the amendment of the Senator from Florida [Mr. PEPPER]. I agree thoroughly with my colleague [Mr. THOMAS of Utah] in the position which he takes. I think it is proper for us to advise the President. In the Connally resolution we have gone to particular pains to state that the proceedings under the resolution shall be according to constitutional procedure.

Mr. President, I am just as anxious as is any other Senator to adopt one of these resolutions. No one has been a stronger supporter of the President and Secretary Hull than have I. In the future no one will be more anxious than I to cooperate with them in their herculean efforts to bring about a just and permanent peace. The point I make is that if the resolution is worth the time and energy we are giving it, then certainly, if we expect the resolution to be noticed by the President, we should pass it by a two-thirds majority, in accordance with the Constitution. That is my only point.

Mr. MURDOCK subsequently said: Mr. President, I ask unanimous consent that there be inserted at the proper place in the remarks I made during the afternoon, when the Senator from Utah [Mr. THOMAS] yielded to me, a message to the Senate dated June 10, 1846, from the President of the United States, who at that time was James K. Polk.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

*To the Senate of the United States:*

I lay before the Senate a proposal, in the form of a convention, presented to the Secretary of State on the sixth instant, by the Envoy Extraordinary and Minister Plenipotentiary of her Britannic Majesty, for the adjustment of the Oregon question, together with a protocol of this proceeding. I submit this proposal to the consideration of the Senate, and request their advice as to the action which, in their judgment, it may be proper to take in reference to it.

In the early periods of the Government, the opinion and advice of the Senate were often taken in advance upon important questions of our foreign policy. General Washington repeatedly consulted the Senate, and asked their previous advice upon pending negotiations with foreign powers; and the Senate in every instance responded to his call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in latter times, was, in my judgment, eminently wise, and may, on occasions of great importance, be properly revived. The Senate are a branch of the treaty-making power; and, by consulting them in advance of his own action upon important measures of foreign policy which may ultimately come before them for their consideration, the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war. On the present occasion the magnitude of the subject would induce me, under any circumstances, to desire the previous advice of the Senate; and that desire is increased by the recent debates and proceedings in Congress, which render it, in my judgment, not only



respectful to the Senate, but necessary and proper, if not indispensable, to insure harmonious action between that body and the Executive. In conferring on the Executive the authority to give the notice for the abrogation of the convention of 1827, the Senate acted publicly so large a part, that a decision on the proposal now made by the British Government, without a definite knowledge of the views of that body in reference to it, might render the question still more complicated and difficult of adjustment. For these reasons I invite the consideration of the Senate to the proposal of the British Government for the settlement of the Oregon question, and ask their advice on the subject.

My opinions and my action on the Oregon question were fully made known to Congress in my annual message of the 2d of December last; and the opinions therein expressed remain unchanged.

Should the Senate, by the constitutional majority required for the ratification of treaties, advise the acceptance of this proposition, or advise it with such modifications as they may, upon full deliberation, deem proper, I shall conform my action to their advice. Should the Senate, however, decline by such constitutional majority to give such advice, or to express an opinion on the subject, I shall consider it my duty to reject the offer.

I also communicate herewith an extract from a dispatch of the Secretary of State to the Minister of the United States at London, under date of the 28th of April last, directing him, in accordance with the joint resolution of Congress "concerning the Oregon Territory," to deliver the notice to the British Government for the abrogation of the convention of the 6th of August, 1827; and also a copy of the notice transmitted to him for that purpose, together with extracts from a dispatch of that Minister to the Secretary of State, bearing date on the 18th day of May last.

JAMES K. POLK.

WASHINGTON, June 10, 1846.

Mr. THOMAS of Utah. Mr. President, I thank my colleague.

I can conclude in a minute or two, and I should like to do so. I turn now to the resolution itself. I have already hinted time and time again why I am glad that the resolution is in general terms. I am particularly glad that it is so general in its nature that it cannot cause discussion with respect to questions which should not be discussed at any peace conference. But the mere fact that the resolution is general in its terms does not make it weak. A generality may be just as strong as a specific statement. The resolution strikes at the very point which caused the trouble in the last attempt to bring about world organization. It aims directly at an international power, and would create an international authority with power to prevent aggression and to preserve the peace of the world. That is a tremendous step forward. It is without limitation, except as limitations are imposed by the first part of the sentence.

Everything that has been done at Moscow could be done under this resolution. Had the resolution already been adopted it would in no way have interfered with what was being done. Judging from the quotations in the press, it seems to be the consensus of opinion of the Senate that that which took place at Moscow was good and in accordance with our ideals, and bids fair to be helpful in its results.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. VANDENBERG. Before the Senate leaves his discussion of the relationship between the Moscow conference and the pending resolution, I should like to submit this thought to him:

I was somewhat disturbed yesterday afternoon by the trend of the argument, particularly as presented by the able Senator from Alabama [Mr. HILL], that Senate Resolution 192, as reported from the committee, lagged so far behind the Moscow conference that it had ceased to have any integrity or validity, and that it required the addition of the so-called Pepper amendment in order to catch up.

If the Senator will permit me, it seems to me that if the Pepper amendment were added to the committee resolution delimiting the effect of the Senate's action exclusively to the creation of an international authority for specific purposes, it would actually rule out point 5 and point 7 of the Moscow declarations, because Moscow is not only discussing the international authority which would be comprehended within the Pepper amendment, but, pending the establishment of this international organization, is also considering and recommending consultative pacts on the one hand, and, under paragraph 7, conference and cooperation in respect to disarmament. In other words, if the action about to be taken by the Senate is to be parallel with the action taken at Moscow, at least for myself I am driven to the conclusion that the committee recommendation, being broader than the Pepper proposal, infinitely better comprehends the Moscow attitude than would be the case were we to amend the committee report as proposed by the very able gentlemen who are attacking it. Does the Senator agree with me in that interpretation?

Mr. THOMAS of Utah. I agree with the Senator entirely, and I would go one step further and say that everything which is included within the Pepper amendment itself can be done under Senate Resolution 192.

Mr. VANDENBERG. Certainly.

Mr. HATCH. Will the Senator from Utah yield?

Mr. THOMAS of Utah. I yield.

Mr. HATCH. I was very much interested in the discussion which has just taken place about the possible limiting effect of the so-called Pepper amendment. I wish to call attention to the language of the amendment. It states, "to promote cooperation among nations."

That is an expression which is not found in the committee resolution. It is not limiting, is it?

Mr. THOMAS of Utah. I disagree. The expression is not found in the committee resolution but surely cooperation is implied and is contemplated.

Mr. HATCH. I am speaking of the words themselves.

Mr. THOMAS of Utah. No; they are not there.

Mr. HATCH. Setting those words forth and expressing the fervent hope

and the highest desire that all the nations may cooperate is not limiting, is it?

Mr. THOMAS of Utah. I doubt very much if a prayer ever limits anything.

Mr. VANDENBERG. Will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. VANDENBERG. If the Senator will permit me, everything to which the Senator is now referring would be under the aegis of "an international organization," and I am saying that Moscow has gone far beyond an international organization in creating the instrumentalities upon which it is seeking to rely for the serial effort to preserve the peace of the world.

Mr. HATCH. Mr. President, will the Senator further yield to me?

Mr. THOMAS of Utah. I yield.

Mr. HATCH. The only difference is that the Pepper amendment uses the words "an international organization." The committee resolution expression is "international authority."

Mr. VANDENBERG. Which includes everything done at Moscow, if we wish to apply it to the Moscow formula.

Mr. HATCH. The Moscow formula includes our language, a general "international organization." It does not include the language of the committee resolution.

Mr. BALL. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BALL. It seems to me that the final paragraph of Senate Resolution 192 is not concerned with a number of the provisions in the agreement reached at Moscow which are concerned primarily with the prosecution of the war and the maintenance of order immediately after hostilities cease in Europe, and during the transition period before a permanent set-up for peace can be worked out. As I understand the final paragraph of Senate Resolution 192, which follows the paragraph providing "That the United States cooperate with its comrades-in-arms in securing a just and honorable peace," what we are trying to advise the President on is not with regard to transitional arrangements to maintain the peace, but with regard to the permanent structure to be established to maintain the peace of the world.

Mr. THOMAS of Utah. And the Senator wants to use any agency which exists or can be set up to accomplish those purposes, does he not?

Mr. BALL. I think we want to use organizations, not alliances.

Mr. THOMAS of Utah. Yes; organizations, but not an organization.

Mr. BALL. The essential job must be done by an organization. The League of Nations was an organization, but had many subsidiary organizations functioning under it.

Mr. THOMAS of Utah. It may be done by many organizations instead of by only one. That is the reason why the article "an" in its limiting sense was not used. I ask to be forgiven for getting into a discussion over the article "an," especially with the Senators who



are present. But the article "an" was deliberately taken out of the resolution for the very reason which I have stated. We cannot tell how the war will end. It may end in Europe very much sooner than in Asia. It may end in Asia very much sooner than in Europe. We may resort to regional understandings of some kind. Such a term was used by President Woodrow Wilson in calling the Monroe Doctrine a regional understanding, and the textbook writers objected to its use. But the fact remains that it was a great regional understanding and that it later became recognized by the world.

Mr. President, if we have functioning today an international organization which can be used in a particular way, let us not install another one. So far as our advice is concerned, let us advise in the broadest way. We want an international authority with power to carry through and to accomplish. We do not want to be limited as to time, as to place, or as to any particular organization. I say that as one who has always supported the theories back of the League of Nations. I say it as one who has always said that we do not want to do anything which will bar any institution which has been established under the League, or under international agreement, which is functioning toward overcoming the ills of the world in any particular field. That the commission of the League in regard to disarmament failed does not mean that the Committee for the Repatriation of Lost Persons did not succeed. What I fear is that when we begin to particularize in our advice or resort to a generality to bring about the authority and power which is necessary to put down aggression, we may destroy some other institutions which are not related to aggression.

I believe the pending resolution covers the whole field as it is presented to us today. We are still in war. We are not working toward peace, but we are doing the sane and sensible thing of trying to reconcile differences with our own allies, and to bring about an understanding with our own allies in order that the peace may be a better one.

I refer to one significant thing which we have done and which we might not have done had we followed the advice of either our Government or the Government of Great Britain. We and Great Britain renounced our extraterritorial rights in China. If the Senate of the United States had been willing to say nothing and do nothing when statements came out of the Foreign Office of Great Britain, and out of our own State Department, so far as extraterritoriality in China was concerned, we would have waited until after the end of the war before taking up the subject and discussing it. Had we not done what we did, one of the four countries represented in the agreement of Moscow could not have been described in any way as a sovereign and free people, because so long as extraterritoriality held China in grip she was not a sovereign nation, and we all know it. We renounced our extraterritorial

rights in China; and we can do a great many more such things. What we must not do is anything which will limit the great field and make it harder to have united action on the part of the United States when we speak to the other nations of the world.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. HATCH. I know the Senator is anxious to leave the floor, and I interrupt him only because I have such a high regard for his work on the committee and for his opinion, and I am asking the questions I now ask merely to have his interpretation put into the RECORD.

As I understand the Senator from Utah, he construes the words "authority" and "power" as used in the Connally resolution to be most broad and general in their terms; that the word "authority" would include a general association or organization of nations. Is that the Senator's view?

Mr. THOMAS of Utah. The word "power," I may say, I think, has always been construed to be general until Jean Bodin created the word "sovereignty" in the late sixteenth century. The sovereignty of a nation was expressed by the word "power" in all the theoretical writings.

Mr. HATCH. An authority to be set up, whether by the exercise of an existing organization such as the League of Nations or a new organization, would, coupled with the word "power," as used, have full authority to proceed to settle disputes peacefully among nations, which would necessarily include the establishment of the necessary machinery to do that.

Mr. THOMAS of Utah. I agree with that wholeheartedly.

Mr. HATCH. The word "power" also includes military and economic sanctions if necessary to preserve the peace of the world.

Mr. THOMAS of Utah. I think so; I say "yes" to that.

Mr. HATCH. It would also go further and be sufficient to authorize the authority to establish, we might say, an international police force?

Mr. THOMAS of Utah. I say "yes" to that.

Mr. HATCH. I thank the Senator. I merely wanted to get his interpretation. There is no limitation whatever, then, under the word "power" as it is used in the Senate resolution?

Mr. THOMAS of Utah. If power and the sovereign nation idea and international authority were left without limitation, I think we might present a general statement to the people of the United States and to the world. They are all-embracing, as I understand, limited only by the remainder of the resolution.

Mr. HATCH. I thank the Senator because I think it very important that the United States and the world understand what is meant by the use of those words. That is the reason I asked the Senator for his interpretation, and I thank him for giving it.

Mr. THOMAS of Utah. Mr. President, my mind runs back to one of the most interesting stories which came out of the last war when we were so far as the stage of the war was concerned about where I hope we are now. A returned soldier came down the gangplank in Boston and was asked when the war would be over. He said, "In a month and a century." He was asked why he expressed it in that way—"a month and a century." "Well," he said, "it will take a month to lick Germany, and then it will take a century to wind up all that barbed wire." Mr. President, with the conference in Moscow, the denunciation of extraterritorial rights in China, and the discussions which are being held here, we are beginning to wind up the barbed wire, so as to bring about a just and peaceful world. That is the way in which I think we should accept what we are doing, in all seriousness, and assume that we are going to do only those things which will make it possible for the United States when we speak to the rest of the world to speak with the authority of unity. What would we think if we tried to curb in wartime the will of the Commander in Chief? Let us present the same united front in the making of the peace that we present now in carrying on the war.

Mr. BALL. Mr. President, I should like to ask the distinguished Senator from Utah, whose knowledge of this problem I respect greatly, whether he believes the agreement signed at Moscow is in the nature of a treaty which under the Constitution should be ratified by the Senate? The question was asked me. I might say that it seems to me that the obligations assumed by this Government under the agreement primarily relate to the conduct of the war, and, therefore, it was well within the province of the Executive to make such an agreement without making it a formal treaty; but some of it does contemplate action beyond the end of the war. I would appreciate the Senator's opinion on that point.

Mr. THOMAS of Utah. Mr. President, I can only answer offhand. I do not deem the agreement reached at Moscow to be a treaty. I think that it can be made into a treaty by negotiation and presented as a treaty, if the President wishes to do so. It is entirely within his discretion to present it to the Senate of the United States as a treaty, but I doubt very much whether any of the three or four nations parties to the agreement have thought of the agreement as anything but an agreement for the future prosecution of the war and the planning of peace under a form of treaty which will be presented later.

Mr. REYNOLDS obtained the floor.

Mr. O'DANIEL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. REYNOLDS. May I inquire of the Senator for what purpose?

Mr. O'DANIEL. I desire to suggest the absence of a quorum.



Mr. REYNOLDS. As a matter of fact, I am not requesting a call of the roll. I have not done so at any time since this body began the serious consideration of this momentous question. I do not believe, frankly, that I have ever seen a greater number of Senators present on the floor than there are this afternoon, and, in view of the fact that I am anxious to get on with what I have to say, I am not particularly desirous to have the roll called.

Mr. O'DANIEL. It seems to me that, inasmuch as a very important subject is being discussed, many of the Senators who are not here would like to be advised of what is going on.

Mr. REYNOLDS. It is very gracious and flattering of the Senator, and I shall be glad to have the roll called.

Mr. O'DANIEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Pepper
Andrews	Guffey	Radcliffe
Austin	Gurney	Reed
Ball	Hatch	Revercomb
Bankhead	Hawkes	Reynolds
Bilbo	Hayden	Robertson
Brooks	Hill	Russell
Buck	Holman	Scruggs
Burton	Johnson, Calif.	Shipstead
Bushfield	Johnson, Colo.	Smith
Butler	Kilgore	Stewart
Byrd	Langer	Taft
Capper	Lodge	Thomas, Okla.
Caraway	Lucas	Thomas, Utah
Chavez	McClellan	Truman
Clark, Idaho	McFarland	Tunnell
Clark, Mo.	McNary	Tydings
Connally	Maloney	Vandenberg
Danaher	Maybank	Van Nuys
Davis	Millikin	Wallgren
Downey	Moore	Wheeler
Eastland	Murdock	Wherry
Ellender	Nye	White
George	O'Daniel	Wiley
Gerry	O'Mahoney	Willis
Gillette	Overton	Wilson

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. REYNOLDS. Mr. President, I wish to thank the distinguished junior Senator from Texas [Mr. O'DANIEL] for his graciousness and kindness and consideration in requesting a roll call. I am not sufficiently egotistical to presume to flatter myself to the degree of believing that one single word I shall say or any argument I may make this afternoon will change the attitude of any Member of this august body. Consequently, it is my intention merely to make my position clear to the American people at this time, through the facilities of this body and through the columns of the CONGRESSIONAL RECORD. So I respectfully state that I shall not yield for any question, or for any other purpose, for that I am desirous of maintaining the continuity of my address, for my own benefit, and for the enlightenment and the information, I trust, of my constituents, and of the American people, whom I am endeavoring as best I conscientiously can to represent in this, the most deliberative body of the world.

Mr. President, never in my whole life have I felt a more solemn duty than the

present one, to make known to the Senate and to the American people the compelling reasons why I must oppose the adoption of Senate Resolution 192, known as the Connally resolution.

The Connally resolution, in my humble opinion, is fatally defective for three reasons:

First. It contemplates the submergence of our American sovereignty into some as yet undiscovered form of super-government in which this Nation most probably would be a minority of one in affairs affecting the dearest interests of our people.

We would find ourselves governed from abroad, subjected to the pressure or coercion of combined and superior forces.

Under our Federal Constitution, the American Government has no authority to make any such destructive commitment, either by action of the Executive or by joint action of the two Houses of Congress, or by any action of the Senate, which is the final constitutional treaty-making power—and the Senate cannot bind itself in advance to some future action, the exact nature and certain consequences of which are at this time totally unknown.

Second. The Connally resolution fails to specify whether or not the pledges of freedom previously advanced in the name of the United Nations with respect to conquered peoples will be carried out.

Our people are not fighting for their own aggrandizement. They are expending blood and treasure to punish aggressions and to prevent the subjugation of once-free peoples by the Axis Powers.

It is obviously unthinkable, therefore, that our people will assent to, or that this Senate will ratify, any peace by which either ourselves or any of our allies shall acquire subject territory by the extinguishment of the liberties and nationalities of others.

We are not fighting conquerors to become conquerors ourselves nor to substitute one set of conquerors for another.

Third. The Connally resolution, in the light of the Moscow conference and of the attitudes and declarations of two of our allies, must either sanction the acquisition or retention of subject territories by these allies or else make World War No. 3 inevitable to prevent these injustices; and a third world war will signify and seal the destruction of our occidental civilization.

For, plainly, if Soviet Russia intends to have and to hold the once-free Baltic republics and parts of Poland and other countries, that intention must be resisted by force of arms or be permitted to prevail by default.

There is no avoidance of this tragical dilemma in the words of formulas of the Connally resolution.

The Connally resolution reads as follows:

*Resolved*, That the war against all our enemies be waged until complete victory is achieved.

That the United States cooperate with its comrades in arms in securing a just and honorable peace.

That the United States, acting through its constitutional processes, join with free and

sovereign nations in the establishment and maintenance of international authority with power to prevent aggression and to preserve the peace of the world.

Mr. President, I shall later offer a substitute resolution, but I shall first develop in larger outlines the faults and dangers which I have found in the Connally resolution.

As civilization is disappearing before our very eyes in seas of blood and debt, no one except a person directly implicated in causing war can be indifferent to the horrors of war or lacking in enthusiasm for practicable steps to prevent recurrence of war.

At the very outset let me say that I am in hearty agreement with one statement made by the chairman of the Senate Committee on Foreign Relations; namely, that "international bandits and robbers" must be curbed. No more correct diagnosis of the chief cause of the woes and wars of the world is possible. All peoples instinctively crave peace, and no peoples want war. International bandits and robbers cause wars and keep the world in a state of turmoil through fiendishly agitated racial hatreds which divert attention from themselves.

With such manifestly correct diagnosis of the cause, the remedy should be perfectly apparent. Civilized nations have never been isolationist in their attitude toward international bandits and robbers but have collaborated and cooperated against them. Such offenses on the high seas are treated as piracy and punishable in the competent tribunal of any country where the offender may be found or into which he may be carried. Civilized nations have provided collective security against piracy without any necessity for surrendering any part of the sovereignty of any nation, such as would result from the establishment of a supergovernment or superbody of any kind. When international bandits and robbers plunder ships of state, instead of ordinary ships, they are committing the most heinous crime conceivable against mankind generally. Collaboration and cooperation of civilized nations against such crime will provide collective security in the only possible or practicable way.

At its recent national convention held in Omaha, Nebr., in September 1943, the American Legion adopted the report of its committee on foreign relations which advocated, as the way to maintain world peace, "an association of free and sovereign nations" rather than the creation of international organizations or super-bodies or a supergovernment which would necessarily, if created, reduce free and sovereign nations to the status of puppet states. I, for one, am unwilling to close my eyes to this magnificent contribution by the great American Legion to a right understanding of this vital problem. What a contrast to the avalanche of propaganda in behalf of an international Frankenstein—a godless, soulless, nationless nondescript to impose its will upon all mankind. Yet, without alluding in anywise to this magnificent resolution of the American Legion which



makes deliberate use of the term "association" rather than "organization" as descriptive of the proper course, the chairman of the Senate Committee on Foreign Relations tells us that the words "international authority" used in the resolution proposed to this body are intended to cover and comprehend international organizations, and further tells us that the word "power" used in that resolution "was chosen with the deliberate intent to include all forms of power necessary to prevent aggression and to preserve the peace of the world." Upon his own interpretation of the meaning and purpose of that resolution this body can afford to have nothing whatever to do with it, except to reject it.

Toward the close of his explanation of the pending resolution the chairman of the Senate Committee on Foreign Relations disclosed his evident misgivings as to the constitutionality of what may be attempted under the broad scope of the resolution by volunteering the observation that—

The Constitution of the United States has been amended, and may be amended again.

Of course, "an association of free and sovereign nations" for curbing "international bandits and robbers" could not possibly be considered as needing a constitutional amendment. On the other hand, the setting up of a superbody or supergovernment of any sort would not only violate the Constitution of the United States, but the Constitution is not by any stretch of the imagination susceptible of any such changes as would involve our Republic in, or subject it to, any such set-up. The Constitution, as we all well know, is a charter of delegated powers. Those not delegated are reserved to the States and the people. The President's powers are enumerated, the powers of the Congress are enumerated, the Senate's powers are set forth, and in none of the provisions is any power given to the President or the Congress to vote this Republic into any superbody or supergovernment. Are we going to entertain even a suggestion that we abdicate as a great, free nation, as we are now, to become a component part of, or subject to, any superbody or supergovernment?

Not only is it legally impossible for our Republic ever to become a component part of, or subject to, any superbody or supergovernment, but, in its legal collaboration and cooperation with other civilized nations to curb international bandits and robbers, it should be extremely careful not to consort with bandits and robbers as supposedly representing civilized nations. The unfortunate practice of extending recognition to regimes of bandits and robbers seizing ships of state and subjecting whole peoples must cease. The late Samuel Gompers, one of the finest Jewish Americans who ever lived, had no hesitancy in branding any such recognition as a "needless and base betrayal of civilization." This may be deemed a delicate subject at the present time, but it is such an essential part of what must be given consideration in connection with the

pending resolution that those who do not want it discussed should not press for adoption of the resolution at this time. We cannot be gagged and bound so as to avoid consideration of practical realities vitally affecting the future of the American Republic and of the civilization in which all of us are vitally interested.

Mr. President, a so-called Executive agreement, which has never been submitted to this body for its advice and consent, was signed on January 1, 1942, by Franklin D. Roosevelt as supposedly representing the United States of America for the purpose, Winston S. Churchill as representing the United Kingdom of Great Britain and Northern Ireland, Maxim Litvinoff as representing the Union of Soviet Socialist Republics, Tse Vung Soong as representing the National Government of the Republic of China, and various other signatories, including Girja Shankar Bajpai as representing India. The paper undertook to endorse "a common program of purposes and principles," including the following, among others:

No aggrandizement, territorial or other.

No territorial changes not in accord with the freely expressed wishes of the peoples concerned.

Restoration of sovereign rights and self-government to those who have been forcibly deprived of them.

Universal right to traverse the high seas and oceans without hindrance.

The paper embodied the introductory recital that the signatories are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world.

Mr. President, it is perfectly obvious—at least to me—that the aforementioned four purposes and principles specifically enumerated would constitute a magnificent basis for world cooperation and understanding by free and sovereign nations; yet what has been submitted to the Senate for adoption avoids reciting anything definite and practicable, and uses the vague general language "a just and honorable peace," with no suggestion for carrying out the four enumerated pledges or even a guaranty of the independence of Latvia, Lithuania, Estonia, Poland, Yugoslavia, Greece, and other subjugated nations. Collaboration and cooperation for world peace, conducted on the basis of the four enumerated already-made pledges, would insure the participation therein of civilized nations only, and in my opinion would point the way to the effectual curbing of international bandits and robbers. If any one of what are called the United Nations, of which we are one, contemplates repudiating any of the four enumerated pledges aforementioned, solemnly made by each of them on January 1, 1942, the Members of the Senate should know it now. If they do not so contemplate, what possible objection could there be to making such pledges the basis of world cooperation now? We would thus have some tangible and practical basis upon which to proceed.

A break-down of good faith and mutual trust between nations cannot be the way to peace. There have been alarming recent indications that neither the British Empire nor the Soviet Union is disposed to abide by the aforementioned four pledges.

There should be no secrets from the American people about such a vital matter.

If the Soviet regime, Great Britain, and China carry out the aforementioned four pledges accepted by them on January 1, 1942, then they will have adopted and put into practice standards upon which world peace can be built. Otherwise, there can be no reasonable expectation that they will collaborate and cooperate in good faith in a program for world peace, the Moscow conference to the contrary notwithstanding.

In this connection, Mr. President, I wish to bring to the attention of Members of this body a paragraph from the remarks made yesterday by my distinguished colleague, the senior Senator from Colorado [Mr. JOHNSON]. He said:

Today we have heard much about the declarations recently issued at Moscow and about them being stronger in their terms than the resolutions pending before the Senate at the present time. I should like to make the suggestion that the terms of the Atlantic Charter, which has been approved by so many of the nations of the world, including Russia, China, the United States, and the United Kingdom are much stronger than those contained in the declarations made at Moscow, and are infinitely stronger than those contained in the resolutions which are now pending in the Senate of the United States.

Further in connection with the Moscow conference, let me say that to many the excitement created by the announcement of the Moscow agreement was ludicrous. Why the announcement of such a "momentous accomplishment and success" when Russia had already, many months ago, agreed in full to and adopted the principles of the Atlantic Charter, which went much further than anything embodied in the agreement at Moscow?

Let us profit by experiences of the past, and plan for future world peace in a realistic and practical manner through collaboration and cooperation among civilized nations only.

It is perfectly manifest that the adoption of the Connally resolution would constitute an evasion, rather than performance, of solemn duties reposed in the Senate. The resolution is interpreted as meaning all things to all men. By many it is interpreted as giving the advice and consent of the Senate now to the making by the President of a pact of any kind coming within the broad scope of the resolution, so as to require no later submission of such pact for the Senate's ratification. Frankly, in view of the announcement by the White House on yesterday of the huge success and general agreement reached at Moscow, I ask why the necessity for the passage now of any such resolution as the Connally resolution. Let the documents relating to the Moscow agreement be submitted to the Senate now for its advice and consent, on the one hand, or rejection, on the other.



Mr. President, having given my reasons for my opposition to the Connally resolution, at this point I wish to read into the RECORD a substitute for Senate Resolution 192, which I now offer to the Senate:

Whereas the Senate of the United States of America desires to clear away any doubts and ambiguities regarding the attitude of the people and Government of the United States of America toward international relationships now and after this war; and

Whereas the Senate of the United States of America recognizes that to call for mutual action of sovereign powers without first stipulating the standards to govern such action or actions, is premature and possibly pledging the United States of America to a future collaboration which might turn out to be a pact with new world conquerors dividing loot and therefore be contradictory to the conscience and the best interests of the people of the United States: Therefore be it

*Resolved:*

1. That it is the intent of the United States of America in concert with her allies to wage war to a successful conclusion against her enemies.

2. That it is the declared purpose of the Senate of the United States of America, as the final treaty-making power of the United States Government, to insure, by every constitutional means, against the recurrence of international clashes, and particularly the break-down of good faith and mutual trust between nations.

3. That it is the sense of the Senate of the United States of America that the United States join with other sovereign nations on a basis of world cooperation and understanding on the following principles:

A. No aggrandizement, territorial or other.  
B. No territorial changes not in accord with the freely expressed wishes of the peoples concerned.

C. Restoration of sovereign rights and self-government to those who have been forcibly deprived of them; and recognition of the right of all peoples to choose the forms of government under which they will live.

D. Universal right to traverse the high seas and oceans without hindrance.

*Provided*, That the policies and attitudes of other nations agree with these principles so that cooperation of nations on these fundamental principles would be effective in actual practice.

4. That it is the sense of the Senate of the United States of America that the duly constituted authority of each Allied Government should declare now, clearly and definitely, whether or not it accepts these principles as the governing standards of such post-war cooperation.

5. That it is the sense of the Senate of the United States of America that the government of each ex-enemy enjoying de facto recognition by the United States and its allies should be invited to declare on a date after the armistice with such ex-enemy whether it accepts these principles as a preliminary to future collaboration.

6. That it is the sense of the Senate of the United States of America that when these declarations have been made by the aforementioned nations and they have given evidence of their desire for sincere collaboration, then the United States of America, through its constitutional processes, shall collaborate and cooperate with other free and sovereign nations to preserve world peace.

7. That the Senate of the United States of America believes in the dignity of American moral leadership, based on the continuance of humanitarian policies, in a large sense illustrated by:

a. The American principle of the federation of the 48 States.

b. The freedom of the individual and the guaranty of the rights of individual enterprise.

c. The good-neighbor policy in this hemisphere.

d. The American championship of the sovereignty and independence of nations and peoples throughout the world.

e. The open-door policy in the Pacific.

f. The American attitude toward minorities.

8. That the Senate of the United States of America declares, in making this statement of hopes and policy, that it in no way sets itself up as a judge of the kind of government of any civilized nation.

9. That it is the sense of the Senate of the United States of America, constituting the final treaty-making authority of this Government, that it should stand firmly upon this solid basis, offering continuously the hand of fellowship to any nation or nations in accord with these ideals and principles.

Mr. President, if there ever was a time in American history when "off the record" vagaries should be channeled in "on the record" to definite statements—it is now, at the time when American thinking is in a fog of bewilderment. Fine-sounding words, meaningless words, are the cause of this confusion, bewilderment, and distrust.

The argument constantly revolves around the two vague words, "internationalism" and "isolationism." No thinking person denies the global theory of post-war collaboration and rehabilitation, but we want a post-war global scene that is framed in some vestige of reality.

Whether the principles expounded by the old so-called isolationists are right or wrong, history alone will tell. But, we do know now that many of the old so-called isolationists were no more or less than genuine American nationalists. These were men and women who did not want to plunge into world hates and conflicts, old European feuds, and European power politics.

That is now a thing of the past; it is water over the dam. We are in it now to the tune of billions of dollars and millions of wrecked American lives. Is there not still some way to make unity a thing that exists because of mutual faith and definite statement of principles? Is there not still some way to make our American people and the long-suffering people of the world feel that they are dying this time for something very tangible, real, and noble?

Mr. President, I think that a clean-cut incision into the cancerous body of power politics at this time can do the trick.

I have been in this Senate for 11 years. A strange and strangling type of hood seems to have fallen over Capitol Hill—a hood of fear to speak and act like real Americans. Why? Is it treasonable to speak out for America, or is it heresy to make suggestions that one believes to be in the interest of Americans?

Yesterday that hood was lifted in the body of the Senate by the able senior Senator from Colorado [Mr. JOHNSON] when he made bold to utter in the Senate the words I shall quote. Before doing so, let me state that the Senator from Colorado submitted a resolution in this body similar to the one submitted

by me and he was speaking upon his resolution when he said, without hesitation:

The people of the United States and the world will be bewildered and confused by the clever and adroit language of the Connally resolution. They will not know any more about what it means and what its effect will be than do the 96 Senators assembled here, and they will interpret it to suit themselves, as we do now.

This is no time to hedge or indulge in double talk and platitudes and threadbare generalities. This is a time to be forthright. This is a time to say what we mean and mean what we say. We ought now to put our cards on the table face up, or remain discreetly silent. My resolution puts the ideals of the Atlantic Charter into concrete and definite form. It is a standard to which the wise and honest can repair.

I realize that many will shrink from its blunt provisions respecting the basic problems facing the world. Many will say it will offend Churchill, it will offend Stalin, and it will cause endless and bitter controversy at a time when we need unity to destroy the common enemy. If that be so, the United States has no business in this war. If that be so, we ought to keep our mouths shut forever about freedom, aggression, imperialism, and exploitation and subjugation of weaker peoples. If that be so, we ought to keep our signature off such documents as the Atlantic Charter.

Do you wonder, Mr. President, at the bewilderment of the American people when certain principles of the Atlantic Charter, which are supposed to be our guide, are applied only to certain peoples and countries in certain parts of the globe?

How can some of the principles of the Atlantic Charter be applied to certain countries and the same principles not be applied to other countries?

What can world understanding possibly mean if it does not accept the significance of the historical fact that peoples, regardless of race, color or creed, are equal, and that each group has its inherent right to freedom and self-government.

The American people fought for that principle and should take their stand—and record their stand right now—otherwise, the dying, misery, and sacrifices will all be in vain.

All thinking Americans realize that, due to geographical, racial and traditional backgrounds, each group has different problems to face. How different racial groups work out their participation in the world scene is up to them; but it is up to us that we, still the strongest member of the United Nations, assure them that right. Otherwise, this war becomes a farce. It is up to us to take a stand and demand the same stand from our allies—that people all over the world, under all conditions, and under all colors of skin, are insured the human dignity of the four freedoms: Freedom from fear, freedom from want, freedom of speech, freedom of religious worship.

How each works out its national problems is its business, just so long as each national group adheres to the principles of the larger world order. We, as Americans, by the same token reserve and demand the right to work out our national destiny and solve our own American problems under the American form



of government—the government that has offered the greatest good to the greatest number of people for the longest time.

We legislators today in the functioning heart of America have within our hands the sacred privilege of carrying out the wishes of the American people—and guiding its ship of state into the harbor of its highest destiny. We are still functioning, thank God, in the democratic way—which means that all officials in Washington are the servants of the American people.

We have the greatest crisis in world history facing us right now. America, in spite of mistakes, has a noble heritage. We have proven our spiritual integrity. It is because we are who we are, it is because our record is what it is, that I hope through my substitute resolution to keep our American direction straight, our record clean, permitting never again an opportunity for the world to ridicule our efforts; and that is why we should first ascertain what is definitely and completely in the minds of our allies respecting the post-war period, not only as relates to Italy and Austria, but also the other subjugated countries of the world. My substitute resolution outlines clearly and definitely our attitude, aims, and objectives; so why not ascertain of our allies their true attitude, aims, and objectives. In other words, before we adopt a resolution reflecting our aims and objectives, we should be informed and have the benefit of the aims and objectives of our allies; and that is the sole intention of my resolution.

The European scene has been such a hotbed of power politics, feuds, hates, balancing of power, for so long, that history alone sifts the chaff from the wheat. History proves each time that the peoples of the world are the same throughout, that the political machines are the instigators of chaos and misery.

Of course, it should be demanded now that each government take its stand now and record that stand and record its intentions. We have the right to demand and receive an answer. This right has nothing to do with being pro or anti toward any individual, ally, or enemy. This is purely a presentation of principles. If the principles as set out in my substitute resolution, which are embodied in the Atlantic Charter, are not adhered to after the aggressors, Hitler and Tojo, have been defeated, then what are we fighting for? It may not be possible for our allies, enemies, or ourselves to rectify glaring errors immediately, but we can demand, and have a right to demand, that nations definitely declare themselves and take steps to rectify faults.

Therefore, the best way in the long run, no matter how it may hurt, is to make incision clear and definite right now. This position should have been taken before, but we were lost in a wave of strongest reaction to propaganda that has ever hit the thinking of our people. However, it is not too late to take a stand now, but if we do not take it now this war may be in vain.

We cannot fight for one thing and mean another in our hearts. A real definition of America's position should give us the right to withdraw from any collaboration in the post-war world when it would be to our moral and material interest to do so.

We should refuse to form any association unless it be a world association with all civilized nations, for the good of all. Otherwise, we shall have fought on a false premise.

We assume now that after the war all nations will be sovereign nations, with self-determining powers, because the principles of the Atlantic Charter expressly demand and guarantee this position of free choice for all groups. Our reservation to withdraw from a post-war collaboration or association if principles are not adhered to is the only way to maintain the dignity of America's moral standards. Our only concern is that the Nation itself comply with the standards and law set for the family of nations.

Each national group has its own problems within its geographical boundaries. The cure for its ills must come from within itself, and will, as long as it is demanded that nations adhere to basic rules.

America's attitude toward Asia is the key to a promising future. Asia offers the trade and commerce. Europe will be in ruins. How can we help anybody, let alone ourselves, if there is no two-way trade? The day of Asia's awakening is here. Half the world's population is to be found there, in the Orient. Four hundred million of these people are in China, our glorious ally. May her perseverance result in the destruction of her invaders, and may she emerge a free and strong China.

The American Republic has crusaded for principles, and has lived them in more cases than she has succumbed to the rottenness of imperial procedures. Because of this heritage, we assume moral leadership. There have been mistakes in national policies, but we must never destroy the structure of the American Republic in order to bring about changes. We must not be hood-winked by false prophets under the cloak of internationalism.

We have all we can do to keep the American Republic operating in an oiled fashion, devoid of political intrigues and power-mad individuals, without judging the structure of government of other nations. What kind of government each chooses is immaterial to us, as long as it offers its peoples complete opportunity to attain and express the "four freedoms."

Mr. President, may I express, therefore, the hope that the Senate will adopt my substitute resolution, which, as I have stated heretofore, is merely a declaration of principles, in order that we may ascertain what is in the minds and the hearts of our allies and ascertain their attitude relating to post-war matters before committing ourselves in any manner or in any form by any resolution.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. WHEELER. The Senator from North Carolina made some remarks concerning the independence of Poland, with which I heartily concur. I hope that any peace treaty which may be made will recognize the independence of Poland. In that connection I desire to call attention to an article appearing in the Weekly Dispatch, of London, under date of February 4, 1939, wherein Lord Halifax, then Secretary of State for Foreign Affairs, was quoted as follows:

Poland could rest assured, if she felt her independence threatened, Britain would accept her word that this was the case and would immediately declare war on any country whom Poland named her aggressor.

This is one of the most remarkable commitments in history because the decision as to whether or not British blood should be poured out was taken out of the hands of the British Government and left to a foreign power.

Great Britain honored her pledge when Poland named Germany as an aggressor. It remains to be seen if she will do so if Poland invokes the guaranty as against Russia, assuming that Russia acts in accordance with her statement that she will demand a large part of Poland.

Mr. REYNOLDS. Mr. President, I am inclined to believe that now is the opportune time for me to ask that there be published in the RECORD at this point a number of telegrams addressed to me. The first two relate to Latvia, Lithuania, and Estonia. I shall not take time to read them. One telegram is from Chicago, signed by the chairman of the American Friends of Lithuania. Another is from Ann Arbor, Mich., signed by an individual, and deals with the Baltic states. The remaining telegrams deal with the independence and territorial integrity of Poland. One is from New York, signed by the chairman of Central of Polish-American Societies of New York. Another telegram is from New York signed by the president of the Polish National Council of New York. Another telegram is also from the Central of Polish-American Societies of New York. Still another telegram is from the Polish-American Council, District 5, of New Jersey. Another is from the League of Polish Women of New York. Another telegram from the Polish Workmen's Aid Fund, Inc., New York. Another is from the Polish Socialist Alliance of New York. Another telegram is from the National Committee of Americans of Polish Descent, Detroit, Mich. Still another telegram is from the president of the National Committee of Americans of Polish Descent. Finally a telegram from the Central of Polish-American Societies of New York. All the telegrams are dated either the 1st or 2d of November.

Mr. President, I have already had printed and shall submit in a few days an amendment to the Connally resolution, which calls for the independence and the guarantee of political territorial integrity of Latvia, Lithuania, Estonia,



Poland, Yugoslavia, Greece, and all the subjugated nations of the world.

I ask unanimous consent that the telegrams to which I have referred be printed in the RECORD at this point.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHICAGO, ILL., November 1, 1943.

Senator ROBERT R. REYNOLDS,  
Senate Office, Washington, D. C.:

Your amendment plan to provide for integrity of Baltics and other subjugated nations voices the opinion of all America. Rest assured you have the support of all freedom-loving people.

STANLEY PIEZA,  
Chairman, American Friends of  
Lithuania.

ANN ARBOR, MICH., November 1, 1943.

Hon. ROBERT REYNOLDS,  
United States Senate:

The Americans of Baltic, Scandinavian, and other origins are rejoicing for the first time since the peace discussion started in our Congress by your peace plan suggested in your resolution.

J. KRIPAS.

NEW YORK, N. Y., November 1, 1943.

Hon. ROBERT R. REYNOLDS,  
Senate of the United States,  
Washington, D. C.:

American friends of Poland commend your decision to inject into congressional discussion proposal to guarantee independence and territorial integrity of invaded and occupied countries. The Atlantic Charter unequivocally defined at this time expressed the ideology for which hundreds of thousands of our valiant men are giving their lives. May this sacrifice not result in a different form of slavery to the living.

CENTRAL OF POLISH-AMERICAN  
SOCIETIES OF NEW YORK,  
FRANCIS X. WAZETER, President.

NEW YORK, N. Y., November 1, 1943.

Hon. ROBERT REYNOLDS,  
Senate of the United States,  
Washington, D. C.:

We commend your outright decision to forcefully bring into open Senate discussion proposal to guarantee independence and territorial integrity of Poland and the invaded and occupied countries. The ideology for which a host of brave sons of Poland have fought and died are exemplified in the Atlantic Charter. Fair play and justice are an attribute of an American. Let us not lose the victory by receding from enunciated principles.

POLISH NATIONAL COUNCIL OF NEW YORK,  
FRANCIS X. WAZETER, President.

NEW YORK, N. Y., November 1, 1943.

Hon. ROBERT R. REYNOLDS,  
Senate of the United States,  
Washington, D. C.:

American friends of Poland commend your decision to inject into congressional discussion proposal to guarantee independence and territorial integrity of invaded and occupied countries. The Atlantic Charter unequivocally defined at this time expressed the ideology for which hundreds of thousands of our valiant men are giving their lives. May this sacrifice not result in a different form of slavery to the living.

CENTRAL OF POLISH-AMERICAN  
SOCIETIES OF NEW YORK.

NEW YORK, N. Y., November 1, 1943.

Hon. ROBERT R. REYNOLDS,  
Senate of the United States,  
Washington, D. C.:

You have our sincere admiration and appreciation for your fight to inject a real meaning into the bill now under discussion.  
POLISH-AMERICAN COUNCIL,  
JOSEPH ONKA,  
President, District 5 of New Jersey.

NEW YORK, N. Y., November 1, 1943.

Hon. ROBERT R. REYNOLDS,  
United States Senate, Washington, D. C.:

The League of Polish Women in New York votes sincere thanks to you for your noble defense of Poland's right to her land and her people.

M. FUTUYMA, President.

NEW YORK, N. Y., November 2, 1943.

Hon. ROBERT R. REYNOLDS,  
United States Senate, Washington, D. C.:

It is with deep appreciation that we learned about your defense of Poland's inalienable rights to sovereignty and independence.

POLISH WORKMEN'S AID FUND, INC.,  
(a national Polish-American fraternal organ).  
FELIX POPLAWSKI, President,  
FELIX SIEKIERSKI, Secretary.

NEW YORK, N. Y., November 2, 1943.

Hon. ROBERT R. REYNOLDS,  
United States Senate, Washington, D. C.:

It is with appreciation that we learned about your defense of Poland's inalienable rights to integrity, sovereignty, and independence.

POLISH SOCIALIST ALLIANCE,  
JOHN TRZASKA, Secretary.

DETROIT, MICH., November 2, 1943.

UNITED STATES SENATOR ROBERT R. REYNOLDS,  
Senate Chamber:

We noticed your amendment to Senator CONNALLY's resolution. Integrity of all countries attacked by aggressor countries should be guaranteed. We wholeheartedly support your point of view.

NATIONAL COMMITTEE OF AMERICANS OF  
POLISH DESCENT, (Circuit No. 1).  
HENRY KOGOT, President.  
ARTHUR F. RECLAW, Secretary.

NEW YORK, N. Y., November 1, 1943.

Hon. ROBERT R. REYNOLDS,  
Senate of the United States,  
Washington, D. C.:

Your decision to inject into the so far academic discussions a concrete proposal that the independence and territorial integrity of those countries that sacrificed their all in defense of our and their security be guaranteed is a courageous step in the direction of a clear and unequivocal definition of the Atlantic Charter. If we permit other powers to distort the very ideology for which hundreds of thousands of our soldiers and sailors are dying we shall win the war but lose the victory or at best have the repetition of our failure to answer the call of destiny after the First World War.

NATIONAL COMMITTEE OF AMERICANS OF  
POLISH DESCENT.  
M. F. WEGRZYNEK, President.

NEW YORK, N. Y., November 1, 1943.

Hon. ROBERT R. REYNOLDS,  
Washington, D. C.:

American friends of Poland commend your decision to inject into congressional discussion proposal to guarantee independence and territorial integrity of invaded and occupied countries. The Atlantic Charter unequivocally

defined at this time expressed the ideology for which hundreds of thousands of our valiant men are giving their lives. May this sacrifice not result in a different form of slavery to the living.

CENTRAL OF POLISH AMERICAN SOCIETIES  
OF NEW YORK,  
FRANCIS X. WAZETER, President.

Mr. DOWNEY. Mr. President, since I was one of the joint introducers of the so-called Pepper amendment to the Connally resolution, it had, of course, been my intention to speak in its behalf and to vote for it and then if that amendment did not prevail, to support the committee resolution, but now we are confronted with an accomplished fact and no longer restricted to theoretical concepts.

The Moscow conference has developed the four-power compact and since its terms looking to harmonious international relations and to the prevention of war seem to be most wise and agreeable to the American people—as well as to the Members of this body—it would appear but one natural course lies before us and that is the adoption of a simple resolution endorsing and approving the Moscow program. At least, it is my intention and desire to support such a resolution in lieu of either of the pending proposals.

Mr. President, while everyone may now properly hope the world will soon emerge from this global war into an era of peace and friendly relations among all people, we should from the very beginning soberly and candidly realize that no international agreement, however wise and provident, will prevent wars or promote international welfare unless such a compact is implemented by justice and good will. The era that now lies ahead will witness the continued development of a civilization dynamic and complicated beyond anything that we have ever known. Only by vision, wisdom, and the sympathetic understanding of the difficulties of other nations and other individuals can we hope to solve the myriad problems, both foreign and domestic, that will press upon us for solution.

Upon the surrender of Germany and Japan, one of the immediate questions that must be answered by Congress is what disposition our Government should make of our lend-lease claims against our allies. It is my own hope and desire that these obligations will be canceled at once, without quibble and procrastination. I think any other decision on our part would be lacking in natural justice and common sense. The lend-lease obligations have been incurred by our allies to permit the more effective waging of the war against the Axis Powers. For us to press an obligation against our associates for munitions furnished them to help defeat the common enemy would seem not only absurd but also violative of all principles of natural justice. We have suffered as a result of this war only very slightly in comparison with Russia, China, and Britain. Our abundant and increasing wealth not only makes it easy for us to be just and fair concern-



ing these lend-lease obligations, it likewise makes it impossible for us ever to collect them. We now possess most of the gold of the world and almost every nation is heavily indebted to us. To attempt to collect our lend-lease debts would be wrong; measured by economic laws, it would prove impossible and destructive because of the existing world-wide economy in which we are the only great creditor nation.

Nor do I believe that we should seek to advance our own interests by any attempt to acquire through their cancellation the territories or sovereign rights of any of the lend-lease debtors. It may be that our own safety might be advanced by the possession of additional areas and bases in the Atlantic or the Pacific, but in my opinion a tolerant and fair attitude toward their present owners would necessitate new and satisfactory considerations beyond the surrender of lend-lease claims.

Yes, Mr. President; the people of the United States and of every nation except the Axis may rest easier as a result of the Four Power Compact, and we may more optimistically look forward to a world of peace and prosperity as a result of what already has been accomplished. But let us not blithely assume that world-wide trials and tribulations will soon be a thing of the past. During the coming decades an infinitude of difficulties will continuously present themselves. Justice, vision, tolerance, and sympathy will find the way successfully to meet these difficulties, but if these qualities be lacking, no international compact, however admirable and intelligent it may be conceived, will prevail over the brutality and selfishness of humankind. So, Mr. President, while all of us should with enthusiasm and renewed courage applaud and endorse the Moscow plan, let us, by its accomplishment, find new strength, courage, and inspiration by which we may bring to the world of the future those qualities of character and intellect that will be so vitally needed if we are to move forward into a new world of peace, prosperity, and progress.

Mr. President, it is my desire that there shall be carried as a part of my address two letters which I have received upon the issue now pending before the Senate. I refer to a communication from Mr. John B. Elliott, of Los Angeles, Calif., and to one from my brother, Mr. Stephen W. Downey, of Sacramento, Calif. Mr. Elliott's letter comes from one who, throughout his life, has been committed to a firm conviction in the necessity and possibility of establishing some sort of an international authority such as the League of Nations for the preservation of peace and the determination of international controversies. Mr. Elliott is a man of high reputation in California, of outstanding ability, and his statement to me is of such extraordinary quality that I believe it should be made a part of the Senate debates and records.

My brother, Stephen W. Downey, who is a lawyer in California, was an officer in the First World War, and now has

three children in the armed forces. He, too, has long been a crusader for the League of Nations principles and I believe his letter is of importance and worthy of a place in the CONGRESSIONAL RECORD. It should be noted that both these communications—the one from Mr. Elliott and the one from Mr. Downey—were written some time before the Moscow Conference. Mr. Elliott, more than 30 years ago, was a member of the Press Gallery of this Capitol, in charge of the floor of the House for the A. P., and was then considered one of the principal political writers for the Associated Press of that period. He is still a member of the National Press Club in Washington. I ask unanimous consent that the letters be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HON. SHERIDAN DOWNEY,  
United States Senate, Washington, D. C.

MY DEAR SENATOR:  
"The shadow of another war already looms before us.

We have to think straight and think fast."  
—Lin Yutang.

Straight and fast. Yes, straight and fast, indeed.

When there arises the factual apparition of a quarter of a century;

Where only one more than a mere one-third of the total membership

Of the greatest deliberative body of a single nation

Can, and, in fact, has already actually, on a certain notable occasion,

Completely nullified and struck down the concerted judgment

Of the combined statesmen of the rest of the world:

Ensuing to date, without the slightest exaggeration,

The most disastrous results to mankind in all recorded history.

So again, now, behold—  
In the handsome, brightly lighted, soft-carpeted, historically furnished Chamber

Of the august Senate of the United States,  
Mid an air of pervading calm and dignity,

Certain well-groomed, well-nurtured, and confident-appearing Senators,

Truly representative of obliquity and the one-third,

Quietly, comfortably exchanging the politest of speech,

As though newly exploring, earnestly, cautiously,

Some delicate, dubious, opaque subject,  
At most, not a familiar subject,

Frighted, as this one certainly was, and still is,

With calamitous consequences, sudden and premature death

To millions of human beings.

Meanwhile,  
And at the identical instant,

Hundreds of young, eager, bright, typical American boys,

Who have, as yet, hardly begun to breathe the real breath of life

For which their mothers bore them,  
And who have just been suddenly torn from their homes,

And with it, all that is dear to them,  
By force governmental (exemplified also by urbane Senators),

And with deadly weapons of war thrust into their untried hands,

And under stern military direction,  
Are undergoing the unique experience

Of having their clean, healthy, young bodies  
Blown to bloody bits

In fierce conflict with savage foes  
In nearly every corner of the inhabited world.

Think of it, if you can.  
Nationalist and isolationist Senators, of intelligence and mature years,

Of experience with life and high station,  
Arguing in elegant phrases and graceful gesticulations,

Offering their personal animadversions  
On world disagreements and complications and such;

While these earnest youths from the homes of all America,

Who had never yet had a chance to live,  
And who, now, never will have,

Are being violently hurled to tragic, terrible deaths on every continent.

Think of it, if you can; think of it!  
Men, of dignified maturity and apparent erudition, consume hours,

With poise and deliberation coining agile, virile phrases and sentences,

Composite of nouns, pronouns, verbs, adverbs, prepositions, and punctuations,

In selected and sonorous order and sequence. Meanwhile,

These ardent young Americans,  
Who were just beginning to know life and love it,

Ruthlessly plunged to their swift, unwanted destruction

In the steaming, fetid jungle wilds of the thousands of South Pacific islands;

Or on the parched desert sands or barren hills of Africa;

Or in the unrelievably frigid, penetrating mists and fogs

Of the heartless Arctic wastes;

Or dying, amid the snow and ice of northern oceans;

Or in shark-infested waters of the deadly Tropics;

Or, if especially singled out by ill fortune, Cremated in towering waves of flaming oil on the surface of violent seas,

Their oil-soaked clothes afire,  
Searing flames leaping to their faces and down open throats;

Where a mere drowning death is most merciful;

Or else, in shattered planes, roasted, in flames of high octane,

Miles above the earth,  
Their torn, bleeding bodies, still conscious, falling down,

Down;

Finally crushed in charred, shapeless mass,  
Not ever to be recognized or even seen again,

On unknown terrain, of which they, in their immaturity had, perhaps, never heard;

Or slowly suffocating to a desperate, miserable death

With a small group of fellows, already confined alive

In the close, dark chamber of a flat, stricken, doomed submarine,

Helpless and forever lost on the very bottom of a distant ocean,

Under weight of hundreds of fathoms of water,

Vainly gasping for a last, weak, hiccupping intake

Of chlorine-charged oxygen for exhausted lungs.

Think of it, if you can; think of it!  
American boys from homes they loved

And where they were, in turn, treasured and loved—

Homes, great and humble, in Ohio, New York, Virginia, Rhode Island, Texas, Colorado, Dakotas, Iowa, Hawaii, California,

Minnesota, Florida, Alaska, Illinois, Michigan, the Philippines, Arizona, the District of Columbia,

Every State, every community in this Union of American commonwealths;

Violently wrenched away,



And thrown into these sometimes boiling,  
sometimes freezing maelstroms  
Of blood, fragments of burning or freezing  
human flesh,  
Exploding TNT; and rending, tearing metal,  
scalding steam, searing flames—  
The whole hellish gamut of human suffering  
and destruction.  
Think of these, Flower of America,  
Not only those who thus die, near or far  
from home,  
But also those who, finally, do partially sur-  
vive;  
Crippled, maimed, disfigured, legs gone, arms  
gone,  
Whole face obliterated,  
Eyes put out, forever sightless,  
With only dogs to lead them through stum-  
bling years;  
Or helplessly paralyzed, never able to move  
the slightest,  
Without aid of other human;  
Or minds gone, hopelessly, violently insane;  
shackled;  
Incoherent, alternately mumbling and  
screaming in mental void against re-  
morseless fate  
Through a long blacked-out, meaningless  
night;  
Thousands of these American boys!  
Horrible! Yes; horrible!  
Or stricken with strange, slowly fatal, physi-  
cal maladies and pestilence,  
Spread by all the tropical, miasmatic germs  
And vermin, and deadly flying or crawling  
creatures;  
Or frozen stiff in unspeakable Arctic cold;  
Or starved of sustenance to the verge of  
dissolution before belated rescue,  
Never to know, again, a single hour of health  
or happiness.  
These, and endless pages more  
Of only mere listed categories of tragedies;  
The wild, ruthless wasting of substance and  
well-being;  
The abrupt and final ending  
Of all future, education, spiritual solace,  
hope, happiness, ambition, life, itself  
Everything, for these who are thus sacrificed;  
The utter wasting of years of devoted, unself-  
ish effort  
Of tens of thousands of American fathers  
and mothers for their sons, and daugh-  
ters, too.  
The loss of love, faith, charity;  
The embellishment and enthronement of  
cynicism and hate;  
Crushing economic burdens upon all future  
existence;  
The maximum of penalty, heaped upon the  
backs of coming generations  
Of those who are in no way to blame—  
The terrible, endless total of woe, suffering,  
destruction, devastation,  
Death to participants and helpless innocents,  
alike.  
An endless litany of needless, useless, fright-  
ful consequences,  
For which there must certainly be, some-  
where—responsibility.  
Meanwhile:  
Solemn, questioning, able Senators; aloofists;  
Who, too, are, of course, highly patriotic  
Americans,  
Argue eloquently, notably;  
With strong and stirring words and phrases,  
Illumined by graceful gestures,  
Energizing themselves into slight degrees of  
Fahrenheit,  
And perhaps unpleasant perspiration and  
such kindred discomforts,  
In the calm, quiet, scientifically-conditioned  
atmosphere  
Of the august Senate Chamber of the United  
States of America!  
Oratorical pyrotechnics; to what end?  
This, to wit:  
The threats, "dire dangers" to our revered  
democratic form of government,  
Possibly involved in suggested or subtly im-  
plied "Foreign Entanglements"

And all such like!  
A distinguished senior Senator,  
Isolationist, in extremis,  
Thundering, in high peroration:  
"I will die all right; but I will die fighting  
Joe Stalin!"  
Pitiful! Pitiful! It all is.  
To such lofty heights—shall we say—  
Has our great and incomparable civilization,  
So tediously, laboriously, and tragically  
mounted!  
The Chair recognizes a Senator:  
"Mr. President, I suggest the apparent  
Absence of a quorum of Senators on the  
floor."  
Meanwhile:  
Official communique from the War Depart-  
ment:  
"The next of kin of personnel have been  
notified."

My dear Senator, a great and solemn re-  
sponsibility, perhaps unprecedented since our  
constitutional adoption, is put upon the  
present individual Members of the Senate  
of the United States. The welfare of the world  
will rest upon what you and your colleagues  
ultimately do. It is frightening when so  
much depends upon so few. Will the Sen-  
ate be equal to it? Will the Senators realize  
that America cannot stand these devastating  
shocks of isolation, but perforce, must join  
with other civilized countries in a practical  
and permanent solution of the international  
problems attendant upon the progress of  
mankind? Dare we indulge the hope that  
feeble human nature will prove strong, brave,  
and wise enough to take and maintain so  
vital and vitalizing a step in the onward, up-  
ward course of civilization? Or, shall the  
record show that we have failed again? Un-  
thinkable! Failure is such a flat word! So  
much depends. You must not fail! Else the  
whole world may fall, too. This is your  
task, your opportunity, your responsibility,  
your duty! Do not let us down!  
Or, there may come upon us, Chaos and  
Old Night!  
It may be, and probably is, much later than  
you think!  
Sincerely yours,

JOHN B. ELLIOTT.

(Letter from Mr. Stephen W. Downey,  
of Sacramento, Calif.:)

OCTOBER 22, 1943.

DEAR BROTHER: You remember the story of  
the Greek philosopher who fell into a muddy  
ditch head first. One of his disciples came  
along presently and—mindful of the teaching  
of his master—couldn't make up his mind,  
whether or not, considering the matter in a  
detached way, it were worth while to pull  
him out. He finally decided it was not and  
went his way. As Tweedledum might put it:  
"If it wasn't so, it wouldn't be and if it  
weren't, it hadn't been but as it is, it is and  
no contrariwise no-how."

Today millions of Americans are wonder-  
ing whether, after this war is over, the United  
States is to be left in status quo—meaning as  
we lawyers say, in a hell of a fix—or whether  
a genuine effort is to be made by wise states-  
men to create a new status that does not lead  
inevitably to new and better wars.

What I am thinking about of course is an  
international agreement or organization to  
maintain peace and prevent aggression. Ob-  
viously cooperation must start with an agree-  
ment between the United States, Great Brit-  
ain, Russia and China. Eventually all na-  
tions, in my opinion, should be permitted to  
participate; however at the moment I am  
concerned only with the first step.

But there can obviously be no agreement  
and no collaboration unless the Senate lends  
aid and comfort. That is why, as one of  
your humble constituents I am writing this  
letter. It is literally no exaggeration to say,  
as I believe, that one of the decisive battles  
of history will soon be fought on the floor of  
the Senate and that the outcome of that

battle will, in large measure, determine  
whether we are to have world order or world  
anarchy. On such a theme I cannot write  
without emotion.

You and I are not old men, at least we  
don't think so. Yet already in our short  
span we have seen three wars—each more  
terrible and comprehensive than the last.  
Unless something is done about it we may  
still see other wars and the destruction not  
only of armies but of nations. I remember  
father, who fought in the Civil War, telling  
us jokingly at the outbreak of the Spanish  
American War that in 1895 the only war that  
imagination could discern was a pitched  
battle between the Army of the Potomac and  
the Army of the Tennessee. Well, in the year  
of grace 1943 the dark and threatening  
shadows of future wars move ominously like  
storm clouds everywhere along the skyline.

When what Alexander Woolcott calls  
hopefully (or perhaps ironically) the "next  
to last war" came to the United States you  
generously took over some of my respon-  
sibilities so I could go and, as I thought,  
fight for a peaceful world in which to raise  
my two boys. But in little more than 20  
years—just long enough to grow to man-  
hood—these same boys put on the uniform  
that I had put off. Even my daughter is  
now in the armed service. My oldest boy,  
as you know, just about to hang up his  
shingle with me, enlisted 3 years ago. He is  
now a professional soldier. Years of prepa-  
ration for community service, as in the  
case of millions of other young Americans,  
have been replaced by intensive training for  
slaughter.

In his first letter to me in 1940 my son  
says, "countless other boys have said:

"It is not so hard to look forward to years  
in the Army when I know it is part of an  
effort to make a world that will be worth  
coming back to when it's over."

A few days ago, October 1, 1943, he wrote  
me what so many others, both in and out of  
the service are saying in substance:

"No fooling, Dad, the more people talk  
about the post-war world and the closer we  
get to it, the more worried I get. People are  
already beginning to talk in a completely  
resigned way about the next war and they  
even talk lightly of a scrap with Russia as a  
part of this one." The letter closes in due  
military style as follows: "We are going to  
win this war, make no mistake about that;  
but what are those who run the country go-  
ing to do to really give us peace. Reply by  
endorsement of action taken."

My "action" is this letter. The men who  
are fighting this very second high in the  
sky over Europe and the Pacific, the sailors  
fighting on the sullen sea or under it, the  
soldiers marching on Rome, servicemen  
everywhere who await with a smile the zero  
hour and the bloody rendezvous want to  
know about the world they hope to return  
to—so do their mothers, sweethearts, and  
wives. Is this war to be just a mere episode,  
a prelude to a greater cataclysm a few years  
hence? Surely unless we are to have chaos  
there must be some semblance of interna-  
tional law enforced by the United Nations  
or a world organization that will accept  
responsibility for world law and peace.

I have heard many men meet the problem  
this way: "Wars," they say, "always have  
been and always will be. Three in your own  
lifetime proves my point." These men have  
no faith that men can live together in a  
world so little that all men are neighbors  
whether they want to be neighbors or not.  
"Even families fight," they say. "Nothing  
can be done about war any more than any-  
thing can be done about birth and death." So  
nothing is to be done except next time to  
be prepared and ready.

Next time! A continuance of conscription,  
billions for defense annually, an armed alert,  
more and bigger planes and guns and battle-



ships and gas masks. A military autocracy. The best of our youth manning outposts of the seven seas—waiting, waiting. They will not be disappointed.

"I'll put a girdle around about the earth in 40 minutes," says Puck in *Midsummer Night's Dream*. With what Mark Twain (or was it Will Rogers) called all the modern inconveniences it is only slight overstatement. The world shrinks. Hates multiply. Science forges more terrible weapons. There is no place where one can be secure. Men walk in fear.

Sooner or later—war—and every city a potential Hamburg with women and children screaming—trapped in the melted asphalt. The sky ship of tomorrow. What will it be like? The block-buster bombs? Maybe smaller than apples but certainly with explosive power now undreamed of. Even the humble airplanes of today are enough to wipe out hundreds of years of culture and civilization on a summer night. A single air raid a decade hence could turn our giant dams of California into dust and mobilize against our cities and industries the very wealth of water and molten gold we stored behind them. So job like, why not accept the futility of existence and take a potsherd and sit down among the ashes and with cheerful resignation wait for the next life?

Do I overstate the picture? I believe not. Only Dante could paint the picture of the post-war era that will surely come if the United Nations fall apart.

That's one choice—slow death to civilization. All that is beautiful in life to fade and ultimately to perish. What other choice is there? I have heard only one suggested—a striving for international solidarity and unity to enforce what essentially all the common people in the world must want—peace between nations based on law. A compact inaugurated by the United States, Russia, Great Britain, and China to hold the nations together. Maybe it's just a dream in a world of nightmares. Will it work? Who knows? Certainly, no man can look into the future and say what the fruits of collaboration would be. A step into the unknown—a shot in the dark. Perhaps, but in the night there is a star.

But maybe Russia won't agree to international cooperation on any rational basis. Maybe Great Britain won't. Maybe China won't. Well, one thing is sure. The United States can't agree for them. All we can do is to speak for ourselves but maybe our attitude will influence their attitude. The start of any agreement is a burning desire to agree. We must begin by really wanting to. With the history of 1919 in mind how can any nation consider that we are serious about international cooperation until the Senate has said so?

After all, who poses the big question? Is it Russia? Great Britain? China? Maybe the United States poses at least a little question. We know how uncooperative Russia looks to us. How do we look through Russian eyes? The Senate, by a gesture, might change that picture. Remember if it later says "No" it can render futile everything our negotiations have accomplished. But when Stalin speaks it is the last word for Russia.

Obviously no agreement can be founded on hate or ill will. For 25 years, rightly or wrongly, we have been deluged with anti-Soviet poison. We are now reaping the harvest of accumulated suspicion. Doubtless Russia is reaping a similar harvest. Actually when I read some of the papers I can't tell whether we are fighting our enemies or our allies. Of course, no one is asking the United States to endorse communism any more than the United States is asking Russia to endorse republicanism or the New Deal. We're not trying to get an agreement on ideology. It's

enforcement of world law that we're talking about.

The thing that really scares me, brother, is the ease with which some Americans in these critical days voice hatred of friendly countries and people. It's so easy to create suspicion. It's so hard to build good will. The myth of national superiority is certainly not the exclusive property of Germany and Japan.

We've had lots of fun, I guess, talking about "foreigners"—the awful mess Russia made after the revolution; pulling the tail of the English lion and listening to him roar. And do you remember, brother, how as boys we used to holler "chink, chink, Chinaman" at the old Chinese laundryman and fairly thrill with excitement in the chase that followed? I remember now the little bunch of flowers the Chinaman brought to father's funeral. It's always fun, I guess, to holler at the other fellow, but personally I am willing to forego that luxury if we can get an agreement with him to cooperate for peace. None of the things that stir ill will between friendly nations seem funny to me this morning with news that the smiling boy who lived across the street will never walk to the streetcar with me again.

This letter is written, as I have said, in response to a summons from servicemen and their loved ones. Those of them who come back will face peacetime problems aplenty—unemployment, readjustment, taxation, inflation, to mention a few. These problems will demand the deepest resources of faith, patience, character, and statesmanship. It is too much in addition that these men should go from one battlefield to preparation for another. Yet, if we stand alone in a world of snarling nations there is no alternative. I know the difficulties of collaboration among nations. They are enough to stagger the most courageous man. But what good will and friendliness as we approach negotiations can do. Good will and a willingness to cooperate. Lincoln asks, "Can aliens make treaties easier than friends can make laws?" Maybe, too, we can make headway if, as Barrie says, we "never ascribe to an opponent motives meaner than our own." That, he says, is a "way to immortality but not as easy as you think."

Affectionately,

STEPHEN W. DOWNEY.

Mr. DOWNEY. Mr. President, I have already sent to the desk an amendment in the nature of a substitute to the pending committee proposal, which I ask to have read.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Without objection, the clerk will read as requested.

The LEGISLATIVE CLERK. It is proposed to strike out all after the word "*Resolved*," and insert in lieu thereof the following:

That the Senate approves the findings and declarations of the Moscow conference and recommends that these findings and declarations be made the basis of a treaty or treaties between the United States and such nations as the President may deem advisable.

The PRESIDING OFFICER. The amendment will be received, lie on the table, and be printed.

Mr. DOWNEY. Mr. President, I have been detained from the Senate for the past 10 days by "flu," and when I prepared some rather brief remarks I expressed my approval of a resolution which would embody the findings of the Moscow conference and expressed therein my intention of supporting such a resolution. It seems to me that if the

Senate approves of what has been done at Moscow, the logical and simple thing to do is to say so just as briefly and simply as possible, so that the other great nations who were represented at Moscow may know, so that the Chief Executive may know, and so that the people of the United States may know that we are agreeable, and may know how we stand.

Mr. President, I was rather amazed when I returned to the Senate to find that a resolution similar to the amendment I have just offered had not been proposed by a group of Senators or by some individual Senator. It was only because such a resolution or amendment had not already been presented that I took upon myself the burden of preparing and presenting the one I have now submitted. I desire to say that I should very much prefer that a resolution or amendment along the lines of the amendment I have submitted should be presented by some group of Senators.

Of course, Mr. President, I should be most happy if it were to come from our most distinguished and beloved chairman of the Committee on Foreign Relations or, if he did not approve of it, from the bloc of Senators who have been making the fight in the Senate for the so-called Pepper amendment. If any group of Senators or any individual Senator who has been taking a more active part in the debate than have I presents such a resolution or amendment, it will be my purpose to withdraw my amendment and to support the other one.

Mr. KILGORE. Mr. President, it has sometimes appeared that the controversy in the Senate has been a controversy over words. Why are we concerned with words? Actually, I believe we are not. We are concerned with the intentions, meanings, and ideas to which the words point.

The argument on this floor is not one as between the use of the words "international authority" and the words "international organization," nor is it relative to the meaning of the word "sovereignty."

As I see it, the basic argument is between those who recognize the need for curbing the virulent imperialistic and nationalistic rivalries which have been set loose by the growth of technology in the modern world, and those who still view the problem of internationalism in the framework of the nineteenth century power politics.

I doubt if any of us would feel the wholehearted vigor and patriotic will to fight and win if after this war we were to return to the old power politics of "maintaining the balance of power in Europe." This was recently brought more freshly and most impressively to my mind by a short poem sent to me by my son from Fort McClellan. The poem was written by Pvt. Arthur J. Bachrach, of the Tenth Battalion of the Infantry Replacement Training Center of that fort. It impressed itself on my mind more forcibly than did *In Flanders Fields* or *Rendezvous With Death*, because in the poem written by this young soldier I see the philosophy of the American



people who refuse to fight this war in vain. Let me take time to read the poem:

ETERNAL PEACE

(By Pvt. Arthur J. Bachrach, Company A,  
Tenth Battalion, Fort McClellan)

And now I depart,  
As many more have done ere myself.  
I leave for the wars,  
A crusader without a sword,  
Khaki cloth my coat of mail.

What, I ask, do I leave behind?  
Those myriad things not meaningful before,  
That now so priceless be.

I leave a family behind,  
Good folk who bore me twice—  
Once from the darkness of the womb,  
And once from boyhood into man.

I leave a girl behind,  
A girl whom I love,  
Whose image seared across my mind  
Will hold me here where'er I go.

I leave my books behind,  
Nurses of my mental ills,  
Guardians of my mental growth,  
Changeless, faithful, firm, and wise.

One more thing,  
I leave a message behind,  
That we who fight for freedom now  
Can see no right in futile strife,  
If lessons writ by dying men  
Go unlearned at home.

This I make as no request  
But rather a demand,  
For pleas go unheard.

If ye who rule lose in parley  
What we gain in blood,  
And cause our unborn sons to march  
Again for nought,  
We shall come back,  
Though some be off this mortal roll,  
And then shall ye know full well  
The fury of a disillusioned heart.

And now I depart,  
As many more have done ere myself.  
I leave to seek a prize  
More precious than the Holy Grail.  
I seek eternal peace.

Mr. President, in my mind there springs afresh, as they should spring in the minds of all Senators, the beautiful sentiments of 25 years ago with which we, an earlier generation, went forth to battle with the dragon of imperialism and world domination. Then we went forth with the slogans fresh in our minds "to keep the world safe for democracy" and the "war to end wars."

We won that war. An armistice was signed, and later a treaty was formulated. In that war we sought nothing save as is expressed in the poem *Eternal Peace*, which I have just read. We asked for no land acquisition, no trade concessions—nothing but the right to live our American lives in the American way. Our commissioners, headed by our President, went to the peace table at Versailles with that thought—and only that—in mind. A treaty was formulated curtailing the activities of Germany and other nations, limiting their armament, and announcing punishment by way of indemnities—not indemnities to us, but indemnities to certain European nations. An agreement was had by those commissioners formulating a world league for peace, commonly known as the League of Nations, with police powers, a court to try offenders, and ways and means of enforcing those agreements.

Whether the League would have worked, I leave to your imagination. But strange as it may seem, the very people who fought the idea of the League and their sons and grandsons are now espousing some form of international cooperation. That fact demonstrates the change which has occurred in the attitude of our people. The Foreign Relations Committee of the United States Senate at that time was presided over by the late very able Senator Borah, of Idaho, who, although chairman of that very important committee on international affairs, nevertheless had never been outside America. As a result of that situation, and by reason of our insular ideas, and many other things, that treaty became a political football, a springboard from which certain ambitious individuals sought to reach a solution of domestic problems by dragging in international complications.

In debating the peace treaty after the last war we looked back to the days of George Washington, the great founder of our country, and we endeavored to see the world through his eyes—through the eyes of those who lived in the days of sailing ships, of coaches with leather springs bouncing over rough trails through the woods, taking days to reach points we now reach in a matter of hours. We brought back the thoughts of Monroe and his policies based upon the same conditions—a new nation struggling for its existence, surrounded by thousands of miles of ocean barriers over which only sailing ships could pass. At that time there was no thought of steam transportation. Our Nation then was only a small one. Shortly before, the States of which it was composed had been only a group of colonies.

At that time our Nation's only desire was divorcement from European turmoil—a Nation which had no capital to invest in foreign enterprises, no commerce to send abroad, no part in world economic policies. Upon that fallacious analogy and short-sighted reasoning, we limited our participation in international affairs to what is to me not only a humorous, but a ludicrous example of an impossible state of affairs.

We condescendingly agreed to participate in a world court with no power of enforcement and in the enforcement of whose edicts we would take no part. We placed ourselves in the position of a judge presiding upon a bench and with no sheriff to execute the decrees that might be entered, and refusing ourselves at the same time to participate in any enforcement of those decrees. From a military and economic standpoint at that time we were the most powerful Nation on the globe. Yet, politically in effect we espoused the cause of isolationism.

We reduced our forces to a size on land not sufficient to more than police the Territories of the United States. We reduced our naval forces to a size so that we were capable only of maintaining a fleet in the Pacific. The only argument adduced was the argument of reducing taxes by reducing Government expenditures.

But behind this apparent isolationism there grew up another phase of inter-

nationalism. This internationalism was only disclosed when this last chapter of world conflict opened our eyes to it. I am referring to the international brigandry of cartel arrangement, or shall we better say, internationalism by agreement between private corporations.

Corporations in the United States entered into contracts with corporations abroad to divide world territories. These cartels were more powerful even than treaties, because they were not so easily scrapped, the reason being that you can scrap a treaty without financial loss, but you cannot scrap a cartel without at least losing your ante in the particular poker game of which the cartel is a part.

The history of the past 30 years, the history which led to the two great wars which have ravaged the earth in our lifetime, in a history of unrestrained rivalries and economic domination which have threatened, and will continue to threaten, the peace of the world unless they are brought within the controls of international collaboration.

What good does it do to set up the finest array of world courts, leagues of nations, international courts of arbitration, supreme supreme courts, and other tribunals which deal only with the political effects of fundamental economic causes which are left untouched? What good does it do the world for the governments to sit down at peace tables and work out fine political mechanisms if they leave the instruments of economic and technical power in the hands of unrestrained private individuals and corporations?

In my opinion, that is the vital problem which we are in greatest danger of overlooking. We must not limit international collaboration to political authority alone, which suggests no pattern for a future economic collaboration without which political collaboration, no matter how elaborate the form or how generous the terms, means nothing. For too long have we permitted our international political relations to be conducted in an economic vacuum.

Only yesterday the Governments of the United States, the United Kingdom, the Soviet Union, and China declared:

That they recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security.

I submit that the least this body can do is support our Nation in following this decisive step toward a new, enlightened policy of international cooperation.

Any peace resolution which we may adopt must show that we understand this dire need. If it does not, it is merely a pious gesture. Mr. President, we are at the crossroads. In the past our policies, dating from the day of the great founder of our Nation, George Washington, have been to isolate ourselves, to keep our place in the Western Hemisphere, and to rely upon oceans to defend us. We must serve some kind of notice to the world at large that we intend to take our place in the world of



affairs, if our commissioners abroad are to be accorded the treatment they should be accorded, and if we would not be subjected to secret treaties.

Cartels have dominated the channels of international trade, have oppressed and exploited whole peoples, have restricted production and technology, have stemmed the tide of progress, and have plunged the nations of the world into two of the bloodiest wars in history. Cartels embody secret agreements between industrialists, superseding and taking the place of the governmental and economic and political agreements which should have been reached. These criminal cartels are not dead. Cartelists are merely awaiting the opportunity to reestablish and increase their power over the world's economic relations. The masters of the cartels are watching us today, Mr. President. They can take comfort from what we resolve here, or they can be confounded and given plain indication that we do not intend to live under their system any longer. I say that the cartelists can take comfort from any vague resolution which we pass here. They and their cohorts—the munition makers and isolationists—can see a ray of hope from a vague resolution because it will show that we do not yet realize the danger from cartels and from the lack of international collaboration, both economic and governmental.

In weighing the possibilities of permanent peace we cannot evade the effect of the cartel system on the exploited countries. We large nations have given cartel groups a hunting license with a 12-month open season to hunt in weak countries. We have applied no sanctions to their foreign activities. The only sanctions are applied by the exploited countries. The natural result is that the monopolists work for control of those countries by meddling in their politics. Of course, our Government does not technically support the foreign activities of these monopolists. But those countries are weak, small, and backward. The impression is definitely given that the Government does support them, if for no other reason than that it does not stop them. We are a Colossus to some of the weaker countries. After all, there are many of our 48 States which have fewer wage earners than the large corporations engaged in cartel activity.

Of course, the classic example of the results of a partnership between government and cartels is Nazi Germany, where the government went into general partnership with corporations for the purpose of controlling them when the Nazis took over. I should like to point out that this alliance was an inevitable one springing from the inherently undemocratic character of both the cartel system and the fascist form of government. In the case of Germany, the cartels, led by the great chemical trust of I. G. Farben, became the economic arm of the Hitler government. In turn, the Hitler government became the political arm of the cartels. Both worked together for the domination of the world, economically and politically. It is characteristic and inevitable that the two worked closely and in easy harmony.

Let me say at this point that frequently there have been produced before committees of this body statements by officials of corporations of the United States to the effect that cartels which had been found to be holding up our defense effort were only being held in abeyance pending the outcome of the war.

Cartel arrangements are not only undemocratic; they are antidemocratic. They are never subject to ratification or examination by the people. Just as the Nazi state requires an economic as well as a political dictatorship, so do the cartels flourish best where a political dictatorship is able to back up and promote the economic dictatorship for which the cartels are striving.

I wish to state emphatically that it is my opinion that if we are to have a people's peace—and I mean that in the sense in which I use it, a peace of and for the people—after the victory has been won; if the free peoples of the world, as stated in the Atlantic Charter, are not to be deprived of the fruits of their victory; if our children are to enjoy the "four freedoms" which we have by strength of arms and sacrifices of our valiant youth sought to attain for them, then cartels and monopolies, with their secret, strangling agreements and treaties must be eliminated from the earth. They must be forestalled by open, plain treaties between governments, having both governmental and economic sanction. There can be no compromise on this. Either there is freedom for cartels to operate, or there is freedom for the peoples of the world. We cannot have both.

It is an inescapable fact which we must face that the private ambitions of cartels, linked and identified with aggressive political dictators, started this war just as they started the war in 1914. It is also an inescapable fact that our own negative economic policy—or lack of any policy at all—disarmed us to the extent that international and domestic cartels were able to enforce their manipulations and set the scene for war. We, and the other democracies, allowed cartels to exist. In some cases, we gave them aid and comfort. The lack of a genuine Government policy on the international economic plane within a world-wide political framework was in itself sufficient to give cartels carte blanche for their private international manipulations.

To paraphrase the German militarist Von Clausewitz: Cartels are a continuation of war in times of peace. When, inevitably, cartels become closely allied with governments, when cartels and cartel systems become an accepted part of national policy, as would happen should we fail to adopt a clear policy of collaboration, they become a constant threat to the peace of the world. At such a time, when the domination of the world's economic resources can no longer be held secure by measures short of war, the governments, and their economic counterparts, the cartels, have no hesitancy in plunging the world into war.

After the World War of 1918, a number of our great industrialists, due to the lack of international agreements between the nations, entered into agreements

limiting markets in the United States in order that they might keep foreign industrialists out, while at the same time we were busily engaged in erecting tariff walls to accomplish the same purpose.

American money went abroad in huge quantities to build plants which are now the bane of our existence and a thorn in the side of our war effort. For example, we limited or inhibited by our private agreements, the building of hydrogenation plants for the making of aviation gasoline in this country, while American money and skill went abroad to build hydrogenation plants that are now keeping German aviation alive and active and enabling it to shoot down our planes. We are now feverishly seeking strategic materials to build the plants which could have been built prior to the war at much less expense.

Even after Hitler came to power we sent abroad and built plants for the manufacture of ethyl tetrachloride, on which Germany now relies to sustain that flow of aviation gasoline which is the lifeblood of modern warfare. We apparently did not realize, or at least our businessmen failed to realize, that in a nation such as ours, with competitive industry and no government control, contracts of this kind are not coordinated to meet a national problem.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. PEPPER. The able Senator from West Virginia has rendered an immeasurable service to his country and to democracy and free enterprise in the world by the splendid work which he has done in respect to international cartels. If I correctly understand the able Senator, one of the purposes he has is to show that we should substitute the machinery of cooperation among nations so as to promote world welfare rather than to allow private cartels to act as a sort of international machine which serves the private rather than the public interest, and sometimes a national interest contrary to our own national interests.

Mr. KILGORE. I thank the Senator from Florida.

Cartel agreements, that is, secret private agreements in lieu of treaties, all but wrecked our rubber program; they even held up the production of gunpowder in the early days of the war. We discovered to our sorrow that there had been substituted for an international agreement to guarantee peace an international agreement governing commerce which acted as a brake on our activities as a nation, although it was beneficial to a number of our great corporations in time of peace but detrimental to us when the emergency arose.

I might sum up the major portion of the cartel agreements by saying that we bartered away not only cash, but inventive skill and technology for the exclusive right to exploit the people of the United States as to prices. So instead of a league of nations or a league for peace, we had a commercial league for pelf, and thus with large numbers of our biggest producers under agreements limiting their production to the will of our greatest enemy, we entered into the chute



which eventually brought us into this war.

These agreements were so phrased as not only to control markets, but to furnish secret and confidential information to our potential enemy. For this I cite the Bausch & Lomb cartel with Zeiss, which required Bausch & Lomb, an American corporation, to list for Zeiss, and incidentally the German general staff, all military optical instruments, including periscopes, range finders, altimeters, bore sights, bomb sights, gun sights, torpedo directors, and fire-control apparatus manufactured by this American precision concern and sold to our own armed forces. The mere study of this information by our enemies gave them a measure of our preparedness. As a result of this cartel, we found it necessary at the outbreak of this war, due to the curtailed production of Bausch & Lomb, to ask the people of this country to give up their privately owned binoculars, field glasses, and any other instruments of this kind in order that our Army might be expanded rapidly enough to meet the occasion. Another feature of the Bausch & Lomb-Zeiss cartel was the power given to the German company to dictate the research personnel employed by the American company. The Bausch & Lomb instance is paralleled by many other cases which have jeopardized our national defense.

We are now confronted with a similar situation. Leading industrialists of the United States and other nations are broaching the plan of continuing the government of the world by private cartel arrangement, in lieu of a government by the people, by treaty properly approved by the proper authorities.

The time has come when we as Americans must realize that we cannot isolate ourselves between the oceans. As one of the two nations in the world that are practically self-sufficient, we must take our place in world affairs and assume our responsibility as a Nation, and not through private agreements of barter and trade entered into by a few of our businessmen. We must realize that if we survive, we must see to it that our grandchildren and great-grandchildren and their children are not forced into the conflicts we face in order that we may maintain our national integrity and our right to live in the way we have developed by our ability, our skill and initiative.

We must shake the scales from our eyes in our dealing with other nations and realize that they, with their problems, see things from a different angle than we do with ours. A nation of slaves cannot see things as does a nation of free men. A nation in the process of starvation sees with the eyes of desperation, whereas a nation well-fed sees with the eyes of peace, comfort and well-being. A nation educated in the ways of imperialism or totalitarianism cannot see things and does not do things in the way of a nation educated in the ways of democracy.

We must also realize that the world, educated to consider the United States of America as a nation refusing to take its place in world affairs, must be brought

into line, must be made to see that we, the people of the United States of America, are no longer isolating ourselves between two oceans while sending our boys abroad, but expect to take our place in the proper cooperative method of conducting the affairs of the world.

The representatives of the United States must go to the parley table at the end of this war with these thoughts in view. We must realize that words and verbal guaranties are not sufficient to maintain the peace of this world. We must realize that there can be no lasting peace without cooperation among the major nations, and that that cooperation must be backed by guaranties in which we must furnish our part.

We must realize that while it will be necessary to render assistance to the conquered nations—and by conquered nations I refer to those that were conquered by our enemies, the Axis Powers—it is also necessary for our well-being that they be made self-sustaining and not become objects of charity. It is necessary that we realize that if we are to maintain ourselves as a nation—strong and rich as we are—we must take care of our domestic problems as well as our foreign problems.

We must see to it that dollar profit alone is not the measure of prosperity. A nation, no matter how strong in dollars and machinery, is only so strong as its manpower and the incentive it may have to preserve itself, and its way of living.

Let us lay the foundation for a peace with guaranties so strong that no nation, however powerful, will dare to make war. Let it be a peace that will be dictated as a result of complete conquest of the war-hungry Axis Nations and will place them in a position where their war-hungry tendencies can be completely curbed and where eventually they may be educated to a state where they will not desire acquisition of power through bloodshed, chicanery, and false representations.

What we do here today will affect not only our chances for winning a lasting peace but will have an immediate effect on our ability to win the war as speedily as possible. Any resolution we adopt can either encourage and spur on the fight of free peoples, or it can discourage and dishearten them by showing that we are still blind to the demands of victory and peace. We can either adopt a vague resolution and accomplish nothing, or we can give a lift in morale to all the peoples fighting the foes of all humanity, and give the support needed by our commissioners in carrying on their great work in Moscow.

Mr. CONNALLY. Mr. President, I wish to propound a unanimous-consent request.

Mr. PEPPER. Will the Senator yield for a question?

Mr. CONNALLY. I yield.

Mr. PEPPER. In view of events intervening since the drafting of the Connally resolution, including the Moscow declaration, and in view of the debate which has taken place upon the floor of the Senate, does not the able chairman of the Committee on Foreign Relations think that at least some informal con-

sultation might be had which perhaps might lead to an accord upon the resolution now pending, and which might eliminate protracted debate, in that way perhaps achieving what the able Senator has in mind in proposing a request for a limitation of debate?

Mr. CONNALLY. The Senator from Texas is not acting in his individual capacity; he is acting as the agent of the Committee on Foreign Relations. I am not prepared to make any commitments without consulting the committee. Yesterday the Senator from Florida wanted to recommit the resolution. I do not know what he has in mind now in the nature of an agreement.

Mr. PEPPER. I think that if the able Senator will read my remarks in the Record, which I have not seen, he will find that I made an alternative proposal, either that the resolution be recommitted—and I think I said for only a matter of hours, perhaps—to the Committee on Foreign Relations for further consideration, or that the able Senator from Texas, recognized as the leader on this subject because of his chairmanship of the Committee on Foreign Relations, quite informally bring together representative groups of opinion on the floor for an informal accord as to what might reflect a cross section of the Senate's sentiment.

Mr. CONNALLY. The Senator from Texas is always available to discuss these matters with any Senator informally, and with any group of Senators. I do not know what the Senator from Florida has in mind, but if he has in mind that the overwhelming majority of the Senate will accept some proposal he makes, I do not think I could speak with any degree of authority.

Mr. HATCH. Mr. President, I am sure the Senator from Florida has no such thought in mind as that. I think I understand what he has in mind. It is merely that in the light of the circumstances which have developed in the last day or two, some accord, some understanding, might be reached which would have the effect of limiting the debate, and that the Senator from Texas would cooperate in reaching such a desired end, and knowing the Senator from Texas, I think I can assure the Senator from Florida that the Senator from Texas will always adopt a cooperative spirit.

Mr. CONNALLY. I have already expressed a desire to do so. I am willing to see any Senator at any time. I shall be very glad to call in other members of the Committee on Foreign Relations and discuss all these matters. In fact, all during the day I have discussed these questions with Senators, both with the group represented by the Senator from Florida [Mr. PEPPER], and the group sponsoring the resolution. I am available, and I shall be very glad to call in anyone with whom these gentlemen desire to discuss the matter.

Mr. PEPPER. The able Senator from Texas is always modest, and exhibits his modesty in this instance, as he always does. In view of the official position and the personal prestige of the able Senator from Texas, he will realize that he has an opportunity to be the focal point of



accord, and to extend invitations which perhaps would appear presumptuous if extended by any other Member of the Senate. I certainly know of no one in my group who would feel disposed, for example, to call a meeting or try to get groups of divergent opinion together, and I assume other Senators would feel the same degree of diffidence. But I am equally certain that no Member of the Senate would fail to respond most cordially to any invitation, however informal it might be, which might be extended by the able chairman of the Committee on Foreign Relations, to see if certain adjustments might not be made which might result in an accord.

Mr. CONNALLY. I thank the Senator from Florida for his usual graciousness in saying nice things about other Senators. I assure the Senator, just as I did a while ago, that we are approachable. I do not know what these Senators have in mind. I shall be glad to talk with them between now and tomorrow, and with any other Senators with whom they wish to confer, but, so far as limiting debate is concerned, if the hope they have shall be realized, there will be all the more reason why we should not have so much debate.

Therefore, Mr. President, I make the request that, beginning tomorrow, no Senator shall speak more than 15 minutes on the resolution and 15 minutes on any amendment.

Mr. HATCH. Reserving the right to object, I merely wish to observe that there are only a few Senators on the floor at this time. I happen to know how anxious the Senator from Texas is to limit debate and to dispose of the pending matter, and I think we are in quite complete accord. But I also know that there are some Senators who desire to speak longer than the time indicated by the Senator from Texas. Therefore, I am duty bound and compelled at this time to object to the request made by the Senator from Texas.

The PRESIDING OFFICER. Objection is heard.

Mr. CONNALLY. The Senator from New Mexico is entirely within his rights in making the objection. I will say, however, that there are a number of amendments on the desk, and the absent Senators who are clamoring to be heard could speak 15 minutes on every one of the amendments if they should so desire, even under the proposed limitation of debate. But there is no use discussing that.

#### LEGISLATIVE RIDERS ON APPROPRIATION BILLS

Mr. MURDOCK. Mr. President, on several occasions when I was a Member of the House of Representatives I made statements concerning the attachment of legislative riders to appropriation bills. I condemned that practice as vigorously as I possibly could. I have also on the floor of the Senate condemned the same parliamentary procedure; that is, the procedure which has been indulged in to too great an extent, in my opinion, in

the last 2 or 3 years, of attaching legislative riders to appropriation bills.

On October 30, a very fine editorial on this very question appeared in the Washington Post, and I ask that the editorial be printed at this point in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### APPROPRIATION LAWS

The Comptroller General has brought to light another instance of legislation through an appropriation act. He has concluded that Congress, in providing funds for the National Labor Relations Board, forbade that agency to investigate complaint cases arising out of agreements between management and labor if these agreements were in existence for more than 3 months prior to the filing of the complaint. As a result, the N. L. R. B. has been forced to drop proceedings in nearly all cases involving complaints of company domination of unions. The effect of this is to nullify one vital section of the Wagner Act.

Ironically, this proviso was written into the appropriation measure at the behest of the metal trades department of the A. F. of L. It was designed to smite the C. I. O., particularly in the jurisdictional dispute over Kaiser shipyard employees. Now it has boomeranged badly. It operates to injure both C. I. O. and A. F. of L. and to entrench the company unions which both organizations seek to overcome and which the Wagner Act sought to disestablish. Wherever these company unions are shielded from the N. L. R. B. they will make true collective bargaining impossible.

If Congress desires to modify the Wagner Act, it has appropriate procedures for doing so. So drastic a modification as this would clearly merit hearings before a responsible committee and a full opportunity for debate. Certainly it should not be slipped across as a rider to an appropriation bill. This method of legislating by indirection is a violation of the House's own rules and an invitation to chaos. In the instant case it amounts to a legalization of contracts which Congress itself has declared to be illegal. The right hand of Congress had better be aware of what its left hand is doing.

#### CONFIRMATION OF NOMINATIONS IN THE JUDICIARY

Mr. CONNALLY. Mr. President, as in executive session, I ask unanimous consent that two nominations on the calendar be confirmed.

The PRESIDING OFFICER. The nominations will be stated.

The legislative clerk read the nomination of George Vice to be United States marshal for the northern district of California, and the nomination of Robert E. Clark to be United States marshal for the southern district of California.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

#### RECESS

Mr. CONNALLY. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, November 3, 1943, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate November 2 (legislative day of October 25), 1943:

#### THE JUDICIARY

##### UNITED STATES MARSHALS

George Vice to be United States marshal for the northern district of California.

Robert E. Clark to be United States marshal for the southern district of California.

## HOUSE OF REPRESENTATIVES

TUESDAY, NOVEMBER 2, 1943

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, our gracious Father and our eternal God, we praise Thee that wherever there is a longing and a seeking soul there Thou art to comfort and to bless. Breathe upon us all Thy sweet and gracious spirit, to calm, to purge, and strengthen our hearts. Enable us to enter into that unshaken and unshakable peace which belongs to those who enter into fellowship with Thee.

We pray for all the weary, the oppressed, and the homeless; make us more active and generous, and allow no yoke of bondage to cast its snares about our feet and entangle us in our labors. O cleanse and purge our hearts from any evil purpose and withdraw us from the distractions of indifference and compromise. Father in heaven, let Thy blessed providence brood over the confusions of men that they may bring order from misunderstanding and may know better the whole compass and depth of Thy will. We pray Thee to restrain the violent actions of misguided men everywhere and bring them together in peace and concord for the sake of those who are suffering and dying that we may live. We ask every blessing to attend our President, our Speaker, and the Congress, and enable us to be true to our best selves and to our highest resolutions. Through Christ, the everlasting Word. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

Department of the Interior.

Department of the Navy.

Department of War.

Tennessee Valley Authority.

War Manpower Commission.

The message also announced that the Senate agrees with amendments to the



amendments of the House to a bill of the Senate of the following title:

S. 400. An act for the organization and functions of the Public Health Service.

#### EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an excerpt from a statement made by Mr. Robert M. Black, president of the White Motor Co.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article written by Hubert M. Harrison, of the East Texas Chamber of Commerce.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper article from the Washington Evening Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Evening Star of Washington, D. C.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent that on today, after the disposition of business on the Speaker's table and special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURDICK. Mr. Speaker, I ask unanimous consent that on Thursday next, after the completion of the legislative business of the day and the special orders heretofore entered, I may address the House for 20 minutes on the subject of the case of the railroad employees.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of the proposed increase of postal rates and to include therein a short editorial on the same subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a portion of a chapter of a book by Howard E. Kershner entitled "Incredible Folly of Starving Our Friends."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, on yesterday consent was given me to insert in the Appendix of the RECORD a speech delivered by Herbert Hoover in Kansas City. Word comes back from the Government Printing Office that it exceeds the limit by \$105. Notwithstanding this I ask unanimous consent that the speech may be extended in the RECORD.

The SPEAKER. Without objection, the extension may be made.

There was no objection.

#### THE MOSCOW CONFERENCE

Mr. McCORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORD. Mr. Speaker, when the historians of the future undertake to chronicle the rapidly changing events of this era, one of the brightest pages will be devoted to the Moscow conference. It will rank in importance with the conference of the North Atlantic and Quebec, for out of this conference is created a new hope and in the hearts of the peoples of the world a new courage is born. The program adopted will have the effect of bringing the war to an earlier conclusion and the establishment of a peace that will be enduring. Outstanding statesmanship makes this a historic event and Americans will always refer with pride to the part played by an outstanding statesman of the world—a great American, a Tennessean—the Honorable Cordell Hull.

#### EXTENSION OF REMARKS

(Mr. SIKES asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

#### THE LATE HONORABLE C. WILLIAM RAMSEYER

The SPEAKER. The gentleman from Iowa [Mr. GILCHRIST] is recognized.

NONE KNEW HIM BUT TO LOVE HIM—NONE NAMED HIM BUT TO PRAISE

Mr. GILCHRIST. Mr. Speaker, I speak of our late beloved statesman and jurist and former Congressman from Iowa, Judge C. William Ramseyer, who died yesterday while in the full bloom and vigor of his judicial work in the Court of Claims.

He was born on a farm in Ohio in 1875. His parents emigrated from Switzerland in 1874. They moved to McLean County, Ill., in 1877. Since 1877, Davis County, Iowa, has been his residence. He was married during his first term in Congress to Ruby Phillips, and brought her as a bride to this city. They have been blessed with two daughters, Jane and Barbara, both married.

He was graduated from the Iowa State Teachers College, and from the College of Law at the State University of Iowa. He taught school 6 years; practiced law in Bloomfield 9 years. Was elected county attorney in 1910, and was re-elected in 1912. In 1914 he was elected to the Sixty-fourth Congress and served in nine Congresses for a period of 18 years continuously.

At the close of the Seventy-second Congress on March 4, 1933, he was made commissioner in the Court of Claims and he served in this capacity up until the time of his death on yesterday, November 1, 1943.

It is interesting to note that Judge Green, of Iowa, a Republican, who served with him in Congress, was then on the Court of Claims, as was also the present Chief Justice Whaley, Democrat, of South Carolina. Each of them knew Judge Ramseyer and had served with him in Congress and they were both very influential in making him one of the commissioners of that court.

The Court of Claims relied upon Judge Ramseyer and upon his legal learning, judicial wisdom, and uncompromising integrity, and it sent him as commissioner to different corners of the world to take the testimony and report findings of law and fact. He went to Panama in an important matter and to Hawaii in another. These litigations involved large sums of money, and just now he was working on the famous Silas Mason case in connection with the Coulee Dam, which involves more than a million dollars worth of property. His reputation as a jurist and judge is unexcelled. He was an indefatigable worker and sought most diligently to render justice in all decisions. He believed that justice is a thing that the righteous pray for and that the wicked fear. Lawyers and attorneys who had faith in their cause were always anxious to have it assigned to Judge Ramseyer. Just a few days ago one of the attorneys in some Indian litigation told me that he was delighted to know that his case had been referred to our deceased friend for trial because this attorney was now sure of being given a fair deal and a wise judgment or decree. Judge Ramseyer is just one more example of the Biblical proverb:

Seest thou a man diligent in his work? He shall stand before kings.

On yesterday Judge Ramseyer went to the court in pursuance of his duties. Folks there noticed that he retired from the room rather abruptly and went to his own office. His secretary then discovered him to be in great distress and he was immediately taken to the Emergency Hospital. Mrs. Ramseyer was called. Doctors administered oxygen treatment but he passed away in another hour at about 1 o'clock in the afternoon.

We all know about the Ramseyer rule which he wrote. It is a rule that has guided the deliberations of this body for more than 14 years. It has come to me through his son-in-law that Judge Ramseyer was both amused and gratified at the success of the Ramseyer rule. "It was so simple," said he. But we who



make use of this rule to guide our deliberations must remember with Emerson, "That nothing is more simple than greatness. Indeed, to be simple is to be great." So therefore this rule alone is a monument to the greatness of our departed friend. It will never be repealed but will guide deliberative bodies for centuries yet to come. Thus, his work lives after him.

Ramseyer always took an active part in legislation and was logical and forceful in argument. He had a certain kindness and grace of demeanor that charmed both friends and opponents—this was one of the reasons for his success. He was learned and lenient and carried his argument without sting. He was successful because he believed in himself and in the righteousness of his cause. Tennyson described him when he said:

My good blade carves the casque of men—  
My tough lance thrusteth sure,  
My strength is as the strength of ten—  
Because my heart is pure.

I am the only Member of the present Iowa delegation that served with the man whom we affectionately called Bill. Those in service before me report that he was very much interested in agricultural matters and insisted upon raising the income of farmers so that they and their families could live with all the comforts and conveniences of life in a Christian twentieth-century civilization. He always supported and believed in the pay-as-you-go principle and fought for it even during and after the First World War. In fact while in Congress he was active in all legislation.

Mr. Speaker, there is an inscription on the monument in the old St. Paul churchyard in London dated four centuries ago which reads: "Virtue lives after the funeral."

No more fitting epitaph could be written at the last resting place of our friend when interred at Bloomfield next Saturday than this for William Ramseyer was not alone of splendid legal attainment and ability but he was also excellent in all the virtues. "His life was gentle, and the elements so mixed in him that nature might stand up and say to all the world, 'This was a man.'"

Judged only by his importance and worth, it may be said that his was a short life; but there is an appointed time on earth for all men, and his memory will live and his influence prevail for long years yet to come.

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. LECOMPTE].

Mr. LECOMPTE. Mr. Speaker, in the death of Hon. C. W. Ramseyer, Iowa has lost one of the strong men of the State. Mr. Ramseyer was elected to Congress in 1914, in the Sixty-fourth Congress, from the old Sixth District of Iowa, and he was reelected to every succeeding Congress, including the Seventy-second in 1930, covering a period of 18 years. Eighteen years is a long period of service in the great Congress, and at all times he was a useful and active member.

Following the 1930 Federal census an unfortunate situation developed in the

State of Iowa. By reason of the loss of population, Iowa lost two seats in the Lower House of Congress, and as a result thereof a redistricting of the State occurred and the old Sixth District and much of the Eighth District were thrown together to form a new district, the one which I have the honor to represent at this time.

Mr. Ramseyer was never defeated in the seven counties that comprised his old district. In his last primary race in 1932 he carried every county. Practically every township and precinct stood by him loyally, as the voters had done for 18 years. He was defeated in the primary by a narrow margin by Hon. Lloyd Thurston, who served honorably in this House for many years. Mr. Ramseyer never had a close or difficult contest for election during the 18 years of his service.

The old Sixth District of Iowa has sent distinguished men to Congress. Gen. J. B. Weaver, who was later a candidate for President, represented the Sixth District in the earlier days following the Civil War. Maj. John F. Lacey represented that district for 20 years and was author of some of our most important conservation measures. Hon. N. E. Kendall, afterward Governor of Iowa, a very great orator, served 4 years in Congress from the old Sixth District. Hon. C. W. Ramseyer now takes his place among the galaxy of great men who have come from southern Iowa.

Mr. Ramseyer was a conscientious, careful, conservative legislator. He was regular in his politics but he was not intensely partisan. He viewed every measure on its merits. He cooperated with his fellow colleagues. He had the affection, I know, of Members of Congress on both sides of the aisle. Following his retirement from Congress he served honorably, usefully, and well with the Court of Claims, and was at his post of duty yesterday morning when the call came to him. The great State of Iowa mourns the loss of an able man in the death of Hon. C. W. Ramseyer.

During his congressional service he was at various times a member of the Ways and Means Committee, the Rules Committee, the Post Office and Post Roads, and other important committees. At all times he was a giant in debate. At one time his name was mentioned for the Speakership.

Perhaps he will be best remembered as the author of the Ramseyer rule—a rule that enables Members to understand bills clearly and proceed carefully and wisely.

The best years of his life—from 39 to 57—he served in the House and he gave to the service his tireless energy and conscientious effort.

Throughout Iowa he was loved and esteemed. Young men knew the value of his counsel. Older men enjoyed his confidence and his companionship. The most ideal relations prevailed in his home.

With an aching heart I acknowledge my personal obligations to this distin-

guished leader and fearless and forward-looking statesman.

Truly it can be said, a strong man has left us. We will not soon see his like again.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, it is with profound regret that I learn of the death of our former colleague, Judge Ramseyer, of Iowa. It was my privilege to serve with Judge Ramseyer not only in the House but also on the Committee on Rules. He was a devoted student of all subjects that came before the Congress, and he was an expert on parliamentary law. As has been mentioned, he was the author of the Ramseyer rule, which for many years has functioned so well in this House. This rule has been responsible for the saving of vast sums of public money, and it has contributed in the interest of better legislation. Our deceased friend served not only in the House but on the judicial bench, with honor and distinction. As a judge he could be depended upon to serve with firm justice and fairness. Judge Ramseyer was a splendid public servant and a fine American. We all join with the Iowa delegation today in mourning his untimely passing.

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, may I join in paying my tribute of love and respect to the memory of our colleague of a few years ago, Judge William Ramseyer, who represented an Iowa district in the House for many years?

Judge Ramseyer was in the House when I came here in 1919. Agriculture had no more enthusiastic advocate in Congress in his day. He was a lawyer of splendid ability and judicial temperament. He was a polished gentleman. It was my privilege to serve with him on the Rules Committee. To know him was to love him. He was a student of parliamentary procedure. As a presiding officer in the House when the Republicans were in power and, by reason of his clear presentation in debate, he had much influence in establishing procedural precedents that will last so long as this parliamentary body endures. The so-called Ramseyer rule is well known to every Member of the present Congress. This rule is a monument to Judge Ramseyer's foresight and perseverance. Surely it would not have been embodied in the House rules at the time it was included were it not for his sponsorship. We all regret this splendid man's passing, and extend our sympathy to the bereaved family.

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, the death of Mr. C. W. Ramseyer, former Member of the House of Representatives from Iowa, is a distinct loss to the people of his home State and the Nation. Mr. Ramseyer served the State and the Nation long and well. He will always be



remembered as a gentleman of outstanding character and integrity, a devoted family man, and forthright citizen. As a public servant, he was just and fair to all. He possessed the vision and understanding that makes for true statesmanship. Iowa sincerely mourns his passing.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, for 10 years I served in the House with Hon. C. William Ramseyer, a former Member of the House of Representatives from the State of Iowa, and who passed away in the city of Washington yesterday.

During his service in this body he was an outstanding Member and a recognized leader, and wielded a great influence in the shaping of legislation.

He was a man of exceptional ability, possessing a fine, judicial, and analytical mind, and he could weigh all issues fairly and impartially, and this he always did. He was not a partisan, and always placed his country and its welfare above every other consideration. He was not regarded as a reactionary in his views, but as a conservative progressive.

He participated frequently in debates in the House, and his arguments were always logical, persuasive, and convincing, because he had the complete confidence of the House, for he was honest, courageous, and sincere.

He was the author of the Ramseyer rule in the House, which requires committees, in reporting bills, to compare the proposed change in the law with existing law, and which has been helpful in enabling the House to intelligently pass upon the effect of new legislation, and if he had done nothing else while a Member of the House he would have left the Congress of the United States indebted to him.

Since his retirement as a Member of Congress Judge Ramseyer has served continuously for about 10 years as Commissioner of the United States Court of Claims, in which position he has made a splendid record and rendered very valuable service, and went to his office in that court yesterday morning, apparently in the best of health, and was engaged in the discharge of his duties when the attack came which caused his death within a few hours.

While we belonged to different political parties, the center aisle did not prevent us from becoming good friends, and our association together ripened into a warm friendship which has endured throughout the years. His wife and mine became intimate friends, and our families have been closely associated. His passing is a distinct loss to his country and a deep personal loss to me.

The SPEAKER. The chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, it was a distinct shock to me to learn of the passing of Bill Ramseyer, with whom I served in this House for 12 years and whom I consider one of the most valuable men I have ever met.

He has built for himself a monument, inadvertently, as someone has said, in

the passage of the Ramseyer rule. Shakespeare said:

Let fame, that all hunt after in their lives,  
Live registered upon our brazen tombs,  
And then grace us in the disgrace of death;  
When, spite of cormorant devouring Time,  
The endeavor of this present breath may buy  
That honour which shall bate his scythe's  
keen edge,  
And make us heirs of all eternity.

Of all the men who served here during his day I dare say that Bill Ramseyer's name will live longer in the history of parliamentary government than that of any of the rest because of his service in the development and promulgation of the Ramseyer rule.

But that is not what I loved Bill Ramseyer for. I loved him because he disregarded party lines when it came to fighting for fundamental principles. He was what we call a liberal Republican. He was liberal without radicalism; he was progressive without fanaticism, democratic without communism, American without any Fascist or reactionary leanings, a Christian without hypocrisy, and a man without guile.

One of his greatest fights was for an adequate inheritance tax. He labored on it day in and day out, year in and year out. He realized that although our Government is not more than 150 years old, less than 5 percent of our people own more than 90 percent of its wealth. He saw that growing concentration of wealth which he thought would probably result in the ultimate wreckage of his country, and with a spirit devoted to this cause he bucked the leaders of his own party and strove to correct that condition. He agreed with Oliver Goldsmith when he said:

Ill fares the land, to hastening ills a prey,  
When wealth accumulates, and men decay;  
Princes and lords may flourish or may fade;  
A breath can make them, as a breath has made;

But a bold peasantry, their country's pride,  
When once destroy'd, can never be supplied.

I know of no man who rendered a greater service in a greater cause than Bill Ramseyer did in struggling for an adequate inheritance tax that would not only provide revenues but would break up the large fortunes that are now accumulating in dead hands and turn them back through the channels of our economic life. If his policies had prevailed, we could not then have had the ridiculous spectacle we have today of an offspring of a former family of wealth inheriting \$70,000,000, escaping the payment of one penny of taxes, and then using it to finance a subversive publication.

God give us more men like Bill Ramseyer, "Men whom the lust of office does not kill; men whom the spoils of office cannot buy."

I knew him in his home. I knew his elegant wife and his lovely children. His family life was ideal. No man who ever came to Congress, in my opinion, measured up more thoroughly to all those great standards of statesmanship, of fatherhood, of manhood, and of Americanism than Bill Ramseyer from Iowa.

Mr. KNUTSON. Mr. Speaker, in the passing of Judge Ramseyer, those of us who have served here for two decades

feel that we have lost a fine friend, and the Nation a splendid citizen. In my time, Iowa has had many able men represent her in Congress. Iowa has been fortunate in having unusually strong delegations, according to my recollection, and I think I can say without disparagement that Mr. Ramseyer was one of the ablest of those who have come from that State within my memory. Not only was he a deep student, a clear thinker, but also a hard worker. He was a fine American who placed his country first, and his memory will long be cherished by those who were privileged to serve with him.

Mr. JENSEN. Mr. Speaker, it was with profound sorrow that I learned of the death of former Congressman Ramseyer, of Iowa. It has been my great privilege to have many interesting heart-to-heart talks with Mr. Ramseyer, whose counsel was always timely and good. He was a great statesman, a great American, a devoted husband and father, and a real man. Iowa will miss him, as will everyone who knew Mr. Ramseyer. He goes to the Great Beyond. The Supreme Commander in Chief of Heaven and Earth has willed it so. My heart goes out to his loving, devoted wife and family. May the same God who called him home give his loved ones strength and courage to bear the great loss of the one who we all were so proud to call our friend.

Mr. REED of New York. Mr. Speaker, it was not until late last evening that I received word of the death of my very dear friend, William Ramseyer. I know him, and I knew him well. My family and his family were closely associated. We were frequently entertained in his home, and he was entertained in ours here and also up in the country on our farm. Much has been said here in regard to his great record. I would say that the greatest contribution that William Ramseyer had made to his country is to present to the country at all times the figure of a true and valuable American, because of his sterling character. No man ever had a finer character than William Ramseyer, and to know him was to respect him. To know him well was to love him. Do you know that a man in a public position for any length of time assumes a tremendous responsibility for the upbuilding and preservation of this great Republic of ours? It has been said, and truly said, that there is no act of man which is not the beginning of a chain of consequences so long as that no human providence is high enough to give us a prospect to the end. Men of the character of William Ramseyer travel on down through the ages. He will be making his contributions to the strength of this Republic many years hence. I never tire of thinking of what a great civic leader, living in the Golden Age of his country, would often say to young men who were about to become citizens. I refer to Pericles. He would take the young men into the public square, point up to the Parthenon, the most beautiful structure in all the world, and say to them, "I would have you, young men, day by day fix your eyes upon the greatness of Athens until you be-



come filled with love of her, and when you are filled with the spectacle of her glory, reflect that it has been acquired by men who knew their duty and who had the courage to do it."

That spirit of Pericles still works in the hearts of the young men of Athens, and, of course, that country because of it will again be free. Hon. William Ramseyer has by his clean, wholesome family life and pure public life set a splendid example to the young men who will determine the future of this great republic.

My sympathy and that of my family goes out to his lovable family, in this dark hour of their great bereavement.

Mr. MARTIN of Iowa. Mr. Speaker, I was very greatly shocked to hear of Congressman Ramseyer's death. It was my privilege to be a resident of the old Sixth Iowa District when he first came to Congress to represent that district in 1914. I was a constituent of his until I took up my residence in my present congressional district in 1921. During all those years I learned to know and to admire the great statesmanship of Congressman Ramseyer. It was just 30 years ago at this time that I saw him come forward as a candidate for Congress from the old Sixth District of Iowa. He was recognized for the great record that he had made in his earlier years, and his worthiness to represent that district in the House of Representatives.

It was also my great privilege when I came to Washington to represent the present First Iowa District in 1939, to meet Congressman Ramseyer here in Washington and to look to him and his friendly, kindly, and sympathetic guidance and advice in taking my own place in the House of Representatives.

Throughout all the years I know of no man who has enjoyed a finer reputation and greater accomplishment in statesmanship than Congressman Ramseyer. I am proud indeed, and Iowa is proud of the great record that he made as a Member of Congress and on the bench.

It is a real privilege at this time to bring you this message dating back before his first coming to Congress, and to do honor to him today. My family still claims the original homestead in the district that he represented, and they have been there for more than 100 years. I know that what I say here is only a feeble presentation of their great admiration and respect for Congressman Ramseyer.

#### EXTENSION OF REMARKS

Mr. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record and include an article by my colleague from California [Mr. OUTLAND].

The SPEAKER. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROBINSON of Utah. I ask unanimous consent to extend my remarks in the Record and include therein a brief

release by the Bureau of Reclamation on the war food program.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. COFFEE and Mr. KEFAUVER were granted permission to extend their own remarks in the Record.)

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a copy of a letter from the manager of the West Texas Chamber of Commerce to the president of the United States Chamber of Commerce on the freight-rate situation.

Mr. SPEAKER. Is there objection?

There was no objection.

#### STRIKES IN INDUSTRY

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, for the information of the House I desire to read an Associated Press dispatch from Little Falls, Minn., dated November 1. It reads as follows:

LITTLE FALLS, MINN., November 1.—The Morrison County draft board announced today it would refuse to process any more men for induction until all strikes are settled for the duration.

The four-man board made its stand known in a statement forwarded to State Selective Service headquarters at St. Paul, to President Roosevelt, and to Representative HAROLD KNUTSON, Republican, of Minnesota, and Senator BALL, Republican, of Minnesota.

The board members are Adolph Peterson, a retired road contractor; A. L. Christianson, retired creamery man; George W. Merkle and John H. Hanfler, farmers.

"We, the members of the Morrison County Board," the statement read, "wish to go on record as refusing to process any more men for induction until all strikes are settled for the duration."

"If a million men can go on strike, who is going to support the soldiers already in the armed forces? Why put more men into the service if we cannot take care of those already in."

Mr. Speaker, the American people are becoming truly apprehensive over the labor unrest in this country and they cannot understand why the President does not issue an order to fight or work. If you will not work, go into the Army and fight.

That is the only way to prevent these outlaw strikes. Recently the electrical workers in Tulsa, Okla., went on a strike. The local draft board immediately began inducting the strikers into the military service and that brought the strike to an early end. That policy must be made general if we are to win the fight on the home front. This administration has too long temporized with a problem that is daily becoming more serious and dangerous. From now our policy must be work or fight. Anything short of that is playing into the hands of Hitler and Hirohito.

The SPEAKER. The time of the gentleman has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, my distinguished friend from Minnesota [Mr. KNUTSON] has called attention to the action of some local board. There is no question but what the coal strike is reprehensible. There is no question but what the coal strikes are subject to severe condemnation. There is no question but what the strikers should go back to work. But that certainly does not justify the action of the local board in taking the action it did. I am not going to condemn those men by severe language, but certainly the reprehensible action of those who are responsible for the coal strike is no justification for any local board reacting thereto and taking the action which that board did as evidenced by the statement of my friend from Minnesota. Two wrongs do not make a right.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Under the previous order of the House, the gentleman from Wisconsin [Mr. SAUTHOFF] is recognized for 20 minutes.

#### FEDERAL JUSTICE

Mr. SAUTHOFF. Mr. Speaker, "equality before the law" is an ancient maxim that is well grounded in our theory of justice. Law and order are absolutely essential to civilization—no modern society can exist without it, and no law can or ought to stand which is founded upon inequality. Therefore, in devising laws great care is taken to eliminate inequality as much as is humanly possible.

In spite of these efforts, inequality constantly creeps in, and as trial and error discloses these inequalities, efforts are made by legislative bodies to do away with them. Sometimes facts are distorted and misrepresented which produces confusion and results in a wrong interpretation by legislative bodies, but in the main, legislative bodies are honest and try to serve the people conscientiously and make every possible effort to eradicate any inequalities before the law.

For several generations, a most sinister influence has been gradually and effectively at work upsetting the intent and purpose of the legislative body in drafting the law. This influence has been the will of the judiciary. Time and again decisions have been rendered by judges in disregard of the express legislative intent. Such judgments have too often been an expression of the prejudice or political philosophy of the judge, who through force of circumstance happens to occupy the bench at that particular time. This applies both to cases involving civil questions as well as those involving criminal questions.

Let me point out more specifically a few cases showing the outrageous perversion of justice in recent months in criminal cases dealing with violations of the law directly relating to our war effort. It would seem that at a time of war



emergency, when young and old, rich and poor, men, women, and children in every walk of life are making some sacrifice for the common good, that courts would be particularly eager and anxious to punish the criminal who takes advantage of the war emergency to further his own private interest. Yet such is not the case. While I believe that most of the judges are mindful of this situation, nevertheless some of them have been grossly indifferent and to my mind have violated their oath of office in dealing with criminal cases involving war frauds.

I shall point out a few cases to illustrate this point:

First, In December 1942, the Department of Justice obtained an indictment against the Anaconda Wire & Cable Co., in a shocking war-fraud case. This company was charged with having installed a secret device in its plant at Marion, Ind., in order to deceive Government officials and permit defective cable, intended for use in the war, to be passed by these Government inspectors. The present law in case of conviction for such an offense provides for 2 years imprisonment, \$10,000 fine, or both. Such a penalty is small enough for cheating one's country in time of war and endangering the lives of thousands of our young men on land, on sea, and in the air.

Several months ago this case reached its final disposition in the Federal court at Fort Wayne, Ind., Thomas W. Slick presiding. The company offered no defense, thereby admitting that the charges were true and that it was guilty as charged. What did the judge do about it? He fined the company \$10,000 which will, no doubt, be deducted from the corporation's income tax. Then he fined the general manager \$10,000, which no doubt the company will pay. Two other officials of the company were fined \$500 each, and one official was fined \$100. The total fines amounted to \$21,100. This company is a subsidiary of Anaconda Copper, which is one of the wealthiest corporations in the world. It can hardly be claimed that the amount of the fines in this case mean anything to such a wealthy corporation.

Now, let us look at some of the other cases that have fallen in the same category.

Second, Typical of the curious brand of justice being dispensed were two recent Baltimore cases. In the Federal district court two young workers were sentenced to prison for 22 months because they had tried to increase their earnings by doing welding and riveting in a slovenly manner.

In the same Federal district, Gustav H. Kann and Joseph Ben Decker, former executives of Triumph Explosives Co., Inc., were tried for violating the Renegotiations Act by falsifying and concealing production costs.

The devious and tortuous routes these two defendants traveled in their schemes to cheat their Government in time of war must shock the sensibilities of every honest citizen. Three times they faced the Federal court under criminal indictment, and three times they were convicted. The first time they were con-

victed of mail frauds involving Government contracts and received suspended sentences. The second time they were tried for violation of the Renegotiations Act by falsifying the records and the jury found them guilty, but the presiding judge set aside the verdict. In the last case, these defendants were again tried for using the mails to defraud. The defendants used a rather ingenious method to accomplish their criminal purpose. They organized a subsidiary of the Triumph Explosive Co. called the Elk Mills Loading Co. Officials of the Elk Mills Loading Co., among others, were Kann and Decker. Among the stockholders of this fake subsidiary were some key employees of the Triumph Co. who secured extra pay through this means. Apparently Kann and Decker's luck ran out on this last case for Kann was sentenced to 3 years while Decker's sentence was postponed.

The Department of Justice should receive an award of merit for its persistence through discouragement after discouragement in prosecuting these cases. The Department certainly received no encouragement from the judges sitting in these cases involving Kann and Decker.

It is this kind of justice which smells to high heaven and destroys one's confidence in the courts. It is to be regretted that the same yardstick of justice was not applied in measuring out and meting justice in the case of the workmen and in the case of these munitions executives.

I am not condoning these offenses; on the contrary, I believe that such offenders should be punished and punished severely, but if the welders deserved 22 months, then Kann and the officials of the Anaconda subsidiary deserved life. Why two kinds of justice, a severe penalty for one class and a very mild one for those who seek blood money in addition to the liberal profits they are already making?

The most flagrant violation of justice meted out in the Federal courts and which stinks to high heaven was the action of Federal Judge Albert W. Johnson of Scranton, Pa., in the war frauds prosecution of officials and employees of the Lackawanna Pants Co. I want to go into some detail in regard to Judge Johnson's peculiar conception of justice as indicated in this particular case.

Originally, four defendants were indicted on four counts of embezzlement and one of conspiracy. But Judge Johnson ruled out the possibility of a conspiracy conviction in his charge to the jury. The jury, however, rendered a verdict of guilty on all counts in spite of the judge's manifest effort to aid the defendants. Thereupon, Judge Johnson reprimanded the jury for disregarding his charge and ordered them to return to the jury room and bring in a verdict of not guilty as to the count involving conspiracy.

In that case, the Federal prosecutors had clearly demonstrated that the defendants not only knew what was going on but took an active participation in the proceeding. Yet, the judge disre-

garded this testimony and ordered the jury to throw out the count charging conspiracy. Please note that the jury of 12 responsible people disregarded the judge's charges and were all unanimously convinced that these 4 defendants were guilty of conspiracy. Evidently the testimony must have been sufficiently convincing to cause these 12 jurors to disregard the express mandate of Judge Johnson. A Federal prosecutor demanded that Judge Johnson impose sentence in accordance with the jury's verdict and pointed out that despite some controverted facts there were other facts not controverted. He mentioned especially the sudden removal of 8,000 yards of Government cloth and more than 1,300 pairs of pants from the Koppelman plant to a warehouse, "the day that a quartermaster corps inspector came to look into the contracts being executed by the company." He charged there was no question of fact on the sudden replacement of Government labels on the trousers by company labels and that there was no question about the equally sudden removal of the material back to the plant, and the additional fact that Theodore Koppelman and Luongo, the shipping clerk, consigned a shipment of these trousers to a fictitious California address. I quote from an editorial contained in the Scranton Times:

Judge Johnson before passing sentence criticized the jury for its verdict. Attorney Max H. Goldschein, a special assistant to the Attorney General, pointed out to the court: "This is not an isolated proposition but a long series of considered actions, not a rash moment but a well organized plan. It is not enough to consider what will be required to rehabilitate the individuals involved in this crime. The public welfare must be considered. The question is whether the punishment will be sufficient to deter others from committing the same crime. As a member of the Department of Justice and as a citizen, I believe that a public example should be made in this case."

Let us examine the record of Theodore Koppelman, president of this pants company. In February 1935, at a time when a portion of the factory was working on Government contracts, Theodore Koppelman was guilty of a violation of N. R. A. This charge Koppelman denied, but Assistant United States Attorney Maguire pointed out that he paid a \$700 fine. In 1941 a consent decree was entered against the same company, and the same Theodore Koppelman, because of a wage-hour violation. The assistant United States attorney also pointed out that Koppelman "at one time was in violation of the fire and factory laws in the plant where 750 people were employed. It was considered a sweatshop and he owed the boys and girls in his employ money."

In spite of these facts Judge Johnson, in sentencing these defendants, stated that—

These three must be put in a class by themselves, and . . . the court also takes into consideration the matter of restitution and previous record of the defendants.

Judge Johnson must have been deaf, dumb, and blind to the previous violations of the Federal law by this company and by Koppelman, its president.



If ever a case, and the conduct of the judge, ought to be examined by the Committee on the Judiciary, with a view to impeachment proceedings, the case of Judge Johnson deserves full consideration. Let the Judiciary Committee call in the prosecutors involved in this case, the jurors who heard the testimony, and the reporters who were present and reported the case. I have secured my information from the full and complete report made of this case by the *Scranton Times*, and I feel that the reporter of the *Times* went out of his way to quote freely from the language of the judge and attorneys, both for the Government and for the defense. The Judiciary Committee cannot overlook this case nor the conduct of Judge Johnson. To ignore the matter is to permit other judges to continue to hand out special privileges to a few, and in that class it seems that Judge Johnson stands by himself. I am advised that some of this material has been forwarded to the gentleman from Texas, Chairman SUMNERS of the Judiciary Committee, as long ago as July 30 but no one has heard anything about it nor has anything been done about it. Let us have a thorough investigation and ascertain the facts in regard to Judge Johnson.

I also want to call the attention of the membership of this House to the fact that last February, Senator O'MAHONEY, of Wyoming, in a speech on the floor of the Senate, read off 19 indictments against some of the largest and wealthiest and most powerful corporations in the United States for violations of criminal law, and not one of these indictments has been brought to trial. Today this number of delayed cases has increased to 32. I might even call attention to the fact that in my own State of Wisconsin several indictments have been pending in Federal court now for more than 2 years involving price fixing and monopoly control of cheese, but to date there has been no trial. During the First World War, we had the same kind of peculiar, and may I add, odorous, justice meted out to different defendants.

There is only one way to put an end to these high-handed practices by Federal judges and that is by making them responsible to the people. This can be done by changing the law so that Federal judges are elected by popular vote for a definite term instead of being appointed for life by the Chief Executive.

To accomplish this end, I have introduced an amendment to the Constitution in order to remedy what I consider a serious defect in our present method of seating Federal judges. My amendment provides for the election of Federal district judges by popular vote. The amendment relates only to Federal district judges, but if that plan works out successfully, as I think it will, then the same plan can be adopted in regard to Federal circuit judges.

It is high time that the questionable conduct of some Federal judges, appointed for life and responsible to no one, be ended, and that these judges be made accountable to the people, whose rights

they are presumed to protect. Elections at stated intervals will give the people an opportunity to register their approval or disapproval. "More democracy, and not less, is the cure for the ills of democracy."

The SPEAKER pro tempore (Mr. WASIELEWSKI). Under the previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

#### SUBSIDIES—MUST HAVE FIRM AND STABLE POLICY ON INFLATION

Mr. PATMAN. Mr. Speaker, as a member of the Committee on Banking and Currency of the House I studied the question of subsidies for several weeks. I did not like the word "subsidy"; therefore in the beginning I was opposed to it, but I was convinced before the hearings were over that the use of subsidies was the only way that you could hold down the cost of living and at the same time give the farmers a sufficient price to cause them to produce sufficiently for this war.

It is my belief that we must have a firm and stable national policy on inflation; if we do not have some kind of policy we shall certainly have ruinous inflation. We have adopted a policy which involves a date, a time, to which we say we expect prices shall be held. There will be objections to any price we fix; certain classes and groups will say: "It is unfair to us"; so it is impossible satisfactorily to adjust a time that will meet with the approval of all classes and groups and all people who are selfishly interested; but we should not destroy a stable national policy on inflation just because a few are displeased. On the other hand, it would be much more desirable to try to adjust those differences, those inequalities, those inequities, which I believe can be done. Through subsidies they can be corrected without raising the cost of living.

#### ONLY SOME THINGS SHOULD BE SUBSIDIZED

On the question of subsidies I do not say we should subsidize everything that is bought by a consumer; there are many things that would be unwise economically for us to subsidize, but there are some things, on the other hand, that should be subsidized in the consumer interest and in the interest of our country; in other words, if we can pay a subsidy out of the Treasury of \$1 to the producer of copper or to the producer of any other commodity and save the taxpayers \$28, which has been proven, it occurs to me that that is not only good business, but just good common sense. That can be done in a number of items, a number of articles, but in all cases it cannot be done; so some subsidies are good and some subsidies are bad.

In a case like that, which is the wise thing for Congress to do? Just say: "Congress should try to legislate the type of subsidy to be allowed"? Or would it be better to delegate that power to the executive branch of the Government that can act more quickly and more easily than the legislative branch? Making laws is a very cumbersome procedure and

we cannot quickly make the laws and make changes. It is necessary, therefore, and especially in wartime, for us to leave questions like that to someone who can act in a hurry and quickly. Some mistakes will be made. Congress could not correct those mistakes right off; it would take time to correct them, but an executive could correct them and correct them overnight.

#### MARVIN JONES RIGHT MAN FOR W. F. A.

It is my belief that if this country had been searched over from Canada to Mexico, from the Atlantic to the Pacific, a better man for War Food Administrator could not have been found. He is none other than our former distinguished colleague who served here in the House for longer than 20 years, a gentleman who at one time was a tenant farmer himself. He was born and reared on a farm. He had a distinguished record as a Member of Congress and as chairman of the Committee on Agriculture in the House of Representatives. No Member has ever lived whose words have been more helpful in legislative acts to the farmers of the country than the words written by this man into the laws the last 10 years. He is the Honorable Marvin Jones, War Food Administrator.

I know that a lot of mistakes will be made by his organization, but it is my belief that Marvin Jones will do his very best to correct those mistakes. I believe that his every heartbeat and pulse throb is with the American farmer. Marvin Jones wants the farmer to prosper. No man has done more to help him prosper than has Marvin Jones. It is true that there are many complications and difficulties involved in fixing prices. After all there are 8,000,000 different commodities, including grades, styles, fashions, classes, and designs, but just a few commodities will cause a lot of trouble. I refer particularly to the beef and dairy situation, milk for instance. They have not been satisfactorily adjusted, but who can better adjust them, 531 Members—96 in the Senate and 435 in the House—through the cumbersome way that we have of communicating with one another in passing laws, for if we make a mistake it takes a long time to correct it, or could Marvin Jones better correct it? Marvin Jones can correct it quickly and overnight. He can do it right now. He is probably not going to be able to solve this thing right away. I have confidence in Marvin Jones and I believe all the Members have confidence in him. If they will leave it to Marvin Jones he will get both the milk and beef situation settled. Instead of trying to cause more confusion, pass a lot of laws, take away a lot of power and give a lot of power to somebody else, why not devote our efforts to making constructive suggestions as to how to best cure this situation?

Mr. O'HARA. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Minnesota.

Mr. O'HARA. Does not the gentleman think that Marvin Jones has been bypassed by somebody along the line in



regard to the fixing of the price of live beef?

Mr. PATMAN. No; I do not think he has been bypassed except by Congress. You know, the Congress gave the President a directive to hold the prices. I believe the gentleman voted for it. The President, having that directive to hold the line as of a certain date, Marvin Jones is trying to carry that out just as the President is. That is the reason I say that the beef producers and the dairy producers in many instances, not all, have not been getting enough to encourage adequate production, but instead of raising the line up in violation of the gentleman's congressional act and mine, there is one other way to do it. The only alternative is give a subsidy in those particular cases and that is the question before the Congress now.

Mr. MILLER of Nebraska. Does the gentleman still insist that Mr. Jones has not been bypassed on the beef situation? Does the gentleman mean to say that Mr. Jones has consented to that?

Mr. PATMAN. Why use the word "bypassed"? Do you mean to say somebody will take advantage of Mr. Jones?

Mr. MILLER of Nebraska. He has been disregarded.

Mr. PATMAN. No; he has not been disregarded. No man's word is accepted more among officials in high quarters than Marvin Jones and I believe the gentleman concurs in my statement on that.

Mr. MILLER of Nebraska. Does the gentleman mean to say that Marvin Jones agreed to the beef prices and conditions that have been imposed lately?

Mr. PATMAN. I hope the gentleman does not imply that somebody is taking advantage of Marvin Jones; that there is some sinister motive behind all this and that someone is trying to take advantage of the farmer when Congress has demonstrated its attitude toward the farmer. We have furnished them almost a billion dollars a year the past 10 years. That should demonstrate our attitude.

#### IS AN EFFORT BEING MADE TO MISLEAD THE FARMER?

Now they are trying to make the farmers believe it is an awful disgrace to accept a subsidy. They say that it is almost criminal. They are trying to make them believe it is an awful thing, but that is the only thing that helped the farmers out when they were desperate. I am afraid they are trying to lead the farmers down a blind alley now. Suppose they succeed in getting that out and convincing the farmers of the country that they should not take another subsidy. Suppose they succeed in convincing the country that no, we farmers will not take another subsidy; we are against it in principle; we think it is wrong, and we will never take it any more.

#### POST-WAR AGRICULTURE

When the war is over we will have to have post-war planning, and we cannot have an agricultural program without subsidies. The party in power then can say: "No; the farmers do not want a subsidy. They convinced them of that a long time ago; it was wrong, and we cannot put in another in the way of subsidy." I wonder if some of the farm

leaders are not trying to lead the farmers up a blind alley.

We have written into the law a protection for the farmers after this war that is afforded no other class or group on earth. That provision is that for 2 years after the declaration of peace we guarantee to the farmers of this country a price the equivalent of 90 percent of parity, which the farmers will be pleased with. If the prices go down and we want to carry out this contract, which we will, it will involve a subsidy and a huge one, will not the party in power say, "We cannot have a subsidy; we cannot carry that out, because the farmers have said they do not want a subsidy; they will never take another one?"

Mr. MILLER of Nebraska. If the gentleman does not feel that Marvin Jones has been by-passed in the meat program, I suggest he stay and listen to his colleague the gentleman from Texas [Mr. KLEBERG], and he might be convinced.

Mr. PATMAN. I know the gentleman from Texas [Mr. KLEBERG]. He is a mighty fine man. He has one view of the situation, maybe I have another one, or probably we agree, I do not know; but I have as much confidence in Marvin Jones as I have in any man in public or official life, and I believe anyone who has ever known him has the same feeling about him.

Mr. PHILLIPS. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. PHILLIPS. Will the gentleman answer specifically the question asked him by the gentleman from Minnesota?

Mr. PATMAN. Suppose the gentleman repeats it and I will try to answer it.

Mr. PHILLIPS. Yes; the gentleman from Wisconsin, the gentleman from Texas, and all other members of the committee have a transcript which is available which distinctly shows that the plan approved by the industry and the plan approved by Judge Jones was just thrown away and another plan substituted. What is the gentleman's answer?

Mr. PATMAN. That does not mean there is no compromise. It does not mean that. It does not mean that Judge Jones will not finally prevail. Suppose that plan was brought into the Congress and we jumped on it for a few months' time. There is no telling what we would come out with. It is better to have Judge Jones' view, the view of the O. P. A., Judge Vinson's views, and so forth, then let them throw out one, turn down the other, but they will get together with something good. Marvin Jones will get a satisfactory plan, I assure the gentleman of that. I have no authority to speak for Marvin Jones, but I know that he is going to see the right thing done, and the gentleman can rest assured it will be done. He might have a temporary set-back, but it is not going to last long.

Mr. PHILLIPS. Is that what the gentleman calls a compromise?

Mr. PATMAN. Every law that is passed is a compromise.

Mr. PHILLIPS. If Judge Jones' plan is thrown into the wastebasket—

Mr. PATMAN. You watch Judge Jones' plan. It might be temporarily laid aside, maybe by high authority, I do

not know—and I am not saying, because I am not acquainted with the facts—but in the end Judge Jones will come out with a good program, just like Secretary of State Cordell Hull came out with a good program at Moscow.

Mr. PHILLIPS. Does the gentleman know that the other plan has already been put into effect?

Mr. PATMAN. If a mistake has been made, it will be corrected, and it can be corrected quickly by Judge Jones.

You know, our Constitution is very plain. It says that the Congress shall make the laws and the Executive shall execute them. We cannot execute the laws. If we are in the law-making business and also the law-enforcing business and the law-changing business, the law-regulating business, and all the others, we will get nowhere fast. We should stay by the Constitution.

Mr. O'HARA. We all join with the gentleman in his high regard for Mr. Jones, but if Mr. Jones and his excellent plans are disregarded, what is wrong?

Mr. PATMAN. He might have a temporary defeat. Cordell Hull had a temporary defeat, but he came out all right; did he not? I venture to say that Marvin Jones will come out the same way.

Mr. O'HARA. If they will listen to him, it will be all right.

Mr. PATMAN. They will listen to him. Anyone will listen to Marvin Jones, because he is a man of good common sense, he knows what is good for the country, and he has done so much for the farmers in the past. Nobody can make me believe that he has become an enemy of the farmer.

It might be said, too, that we cannot expect exact justice in everything. There will be a lot of mistakes made, some inequalities and some injustices. If you make those mistakes in a law they are difficult to correct, but if the Executive makes them, if Marvin Jones makes them, he can correct them, and it does not take months of time to get them corrected. So the point is, which is better, to leave these difficult and troublesome problems to the legislative branch and let it try to say which shall be subsidized and which shall not be subsidized, or to leave them to a good, honest, conscientious, intelligent, able public official like Marvin Jones? I say that the latter is preferable.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

#### THE MOSCOW CONFERENCE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I know that each and every one of you, yes, all of us in this land and the world over, are gratified by the successful result of the Moscow conference. I am especially pleased, because for many years I have been assuring this House and the country that when the time comes the great Russia would be able to prove to the



world that it desires nothing but peace and cooperation with other nations for the promotion of the cause of a democratic form of government the world over.

Frequently in the past I have urged on the floor of the House the resumption of friendly relations with the Soviet Union and, as I look back and reflect, there were some appeasers and isolationists who seemed to be misled with Fascist-Nazi ideology judging from their attacks on Marshal Stalin and the Soviet Government. And even today, Mr. Speaker, some members of this Fascist-Nazi misled group continue to express their fear of the danger of communism. It has always been my contention and belief that they have followed the Hitler propaganda to hide the Fascist-Nazi activities in this country. While all well-informed people appreciating the Soviet Union's aims and realizing that the attacks made were unwarranted and not based on facts, yet the minds of many sincere men and women were poisoned by the speeches made on the floor and by the reading of articles appearing in magazines and special publications of the intolerant group in our midst. Anyone who, not so long ago, advocated a friendly relationship with the Soviet Union and defended the President's policies was assailed and attacked, and even accused of communistic leanings.

I am glad that I was then fairly well-informed and in position to combat to the best of my humble ability many of the unjustified charges and accusations against the Soviet Union. Naturally, today, as I have stated, I am overjoyed that the assurance that I then gave that there was no danger of interference or from communism in this country is borne out by the Moscow agreement brought about by three outstanding, sincere, and able gentlemen, namely, our own Secretary of State Hull, Foreign Minister Anthony Eden of Great Britain, and Marshal Stalin of the Union of Soviet Socialist Republics. Therefore, I again urge of those who have been misled by the shrewd, conniving, and lying Nazi propaganda to admit to the fact that they have been led astray and to desist henceforth from their un-American and seditious activities and to stop creating racial and religious prejudice. It is my sincere hope that they will serve notice on the rabble rousers that they have been misled long enough by them and that if, due to their hate and intolerance, they still persist in their unfair and subversive propaganda will be proceeded against in accordance with the law of the country.

#### EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a Navy Day address delivered by Rear Admiral Moreell. I am informed that this material will take up more than two pages of the CONGRESSIONAL RECORD and will cost \$112; nevertheless, in view of the information contained in this splendid address, I ask that it be printed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. KLEBERG] is recognized for 60 minutes.

#### GOVERNMENT OF LAW OR BY DIRECTIVE—RED MEAT OR RED TAPE

Mr. KLEBERG. Mr. Speaker, I would deeply appreciate it if my colleagues in the House would refrain from interrogation until I conclude my effort to present a subject which I earnestly believe to be of deep concern to our country.

I regret that at this juncture my distinguished colleague from Texas is not on the floor. I heard only his concluding remarks.

Mr. Speaker, in approaching the subject of this statement today, I find myself beset with unusual difficulty presented in the size and ramifications of the subject when compared to the time granted to me for its discussion.

Let us not forget in approaching our governmental problems that we, the United States of America, were the first great Nation in the world to make democracy workable, that popular government was begun here amidst almost universal prophecy of failure, and that other nations which have attempted popular government have, with few exceptions, seen it give way to dictatorship or some other form of despotism.

Prior to the establishment of our Government, philosophers talked, and history confirmed their teachings, that democracy could succeed only to a qualified extent and that only in small and sheltered communities, but in a great Nation which has attained supremacy in world affairs, the United States, we have seen and we have proven that democracy is workable. To say the least, it is worth the inquiry, Why has democracy succeeded here while it has failed in so many other countries?

To my mind, the answer is that we have embodied in our constitutional system the true principles of popular government, the principles upon which the exercise of sovereignty by the people must proceed if government is to be even partially or permanently successful. The mainstay, yes, the Gibraltar upon which these principles are based is the division of the powers of sovereignty in the Federal Government among the executive, legislative, and judicial branches.

It should likewise be noted and earnestly considered that the Constitution of the United States would not be in existence had not life been breathed into this immortal instrument by its ratification by the several States which make up the Union which our Constitution was intended and purposed to make perfect. The importance of this division of power in the maintenance of liberty is apparent even upon the most cursory reflection. The concentration of the sovereign power in one agency not only leads to but establishes despotism, this because of the inevitable tendency to substitute the will of the individual exercising the power for law duly prescribed. If the

same body is given, not only the power to enact and enforce law, but added to that the power to hear and determine violations of the law, the enforcing body will have in mind not law as prescribed but the end at which the law was directed and the limits of legality which must be observed in executive action. Those limits will, of course, be obscure.

In talking this afternoon I am fully conscious that in the effort to definitely discharge my responsibility as a Member of this group, that along with this body and another body, the free press of this Nation has a representative function to perform. Whenever the function of the press or of the Congress is colored by the directives, coercion, or other forms of stimulation, the representative function of our form of government is balked by an impassable barrier. I want that to remain in the forefront of your minds. If the same body makes, enacts, and interprets the law, the same evil results with the added danger that safeguards against ex post facto laws and other retroactive forms of legislation will, of course, be erased, and in the case of our system, when laws are enacted by representatives coming directly from and chosen by the people and such laws are enforced and carried out by other men, who have nothing to do with their passage, and which are subject to review by yet a third body of men, who are independent of the others, and have no duty to declare the law save as they find it, it becomes a government of laws and not of men. It is true that under such a system laws are enacted by men, interpreted by men, and enforced by men, but in the end what is enforced is not the arbitrary will or power or notion of any man or group of men, but the law as prescribed by those who represent the popular will, executed by administrative decision and judicial decree by those withdrawn from political contest, to exercise judicial power.

Today public confidence, shocked as it is by repetitious innovation, is in dire need of the stabilizing influence of true and conclusive evidence to the effect that the Congress of the United States—and mark these words—proposes to be true to that instrument, the Constitution of the United States, which gave the Congress being and life. The fact is that uncontrolled writing of regulations, directives, proclamations, or whatever they may be termed, by some of the divisions of the administrative branch of the Government have become so pernicious and numerous that the actual intention, the real intention of the Congress is vitiated. There are strong indications, evidential at every hand, that a fourth branch of government has arisen, certainly without constitutional sanction—shall we call it, for the purpose of this discourse—the regulatory branch? This branch is operating contrary to the fundamental principles of representative government. It is undermining and in some instances it is committing breaches which are tantamount in fact to a change in our form of government. Although some Government officials now operating within this fourth branch of government will tell you that the rules which they create



are not laws, yet Mr. Chief Justice Hughes some time prior to 1938 stated:

The making of regulations is essentially legislative in character, for they set forth what a citizen may or may not do.

Mr. Speaker, you and I both know that within the Constitution are to be found provisions permitting a change or amendment to that instrument. Also we know, Mr. Speaker, that this procedure requires the submission of such change or changes by Congress to the American people for their vote and their ratification or disapproval. Despite this provision, speaking as a Representative of a great congressional district, the people whom I represent under the Constitution are entitled to pass upon any such contemplated change. Keep that in mind.

Recently the attention of the Congress and the country was attracted by a widespread confusion and uncertainty occasioned by a shortage of beef, milk, and other items of food on the counters throughout this country. The time-honored system of price and distribution was completely thrown out of kilter. Producers, processors, wholesale and retail distributors found themselves in a regulation- and directive-built and leaky boat on a bureaucratic tossed sea without either rudder or compass, and no land in sight, and in the midst of a storm and far from land they were called to serve the vital needs of this great Nation at war. Our armed services, our civilians, our allies all need the food of which they were the purveyors. This Congress, Mr. Speaker, is called upon to represent them in their plight. To extricate them at this moment is among our most vital tasks. Let me give you some matters of record by way of analysis. For instance, take the meat problem, and I desire to approach it first from its governmental aspect. Let us analyze the position occupied by the O. P. A. with respect to this beef problem. The O. P. A. is confronted with power, to be exercised by it, coming from a twofold source, pricing and rationing of quotas. It operates upon two sources of power and authority when you get right down to the facts. The authority of the O. P. A. is supposed to be derived from the Price Control and Stabilization Acts of 1942 insofar as price is concerned. The rationing power comes from the Second War Powers Act.

I want to call your attention to two important distinctions, and I hope you keep them in mind. Live cattle are one thing, and they are classified by law and by agencies of Government as an agricultural commodity. Beef is another thing, and beef results from the slaughtering and processing of live cattle. Beef has recently been included as one of the strategic materials. Keep that in mind. Live steers are agricultural products, while beef is a processed product. Beef is classified, I repeat, as a strategic material under the war stimulus under which we now find ourselves. Both agricultural and processed commodities are, by statute, distinct from others, and I mean with reference to processed commodities, those which are processed from agricultural origins. They are priced under dif-

ferent legal aspects. Certain individuals are empowered to fix prices in a channeled legislative act setting the range within which such prices are to be set. The Price Administration is empowered to fix the price of meat, a processed product, while the law requires prior approval of the Secretary of Agriculture. I am talking about the law creating this Price Administration. This law requires prior approval of the Secretary of Agriculture before the price of livestock on the hoof may be set by the Price Administrator. In other words, the Price Administrator proposes what the price may be, and the Secretary of Agriculture either ratifies or rejects, but neither one nor the other may act without the consent of the other, and both are limited within the legal standards of the act, unless, under the Stabilization Act, the present modification to standards within the limits set out in this act for the purpose of increasing production for war purposes are to keep pace with the increasing cost of farm labor.

Now, by directive—and I want somebody down in the executive branch to challenge the statement—and in defiance of the statute, the substantive law, the power of the Secretary of Agriculture is transferred to the War Food Administration, and the Office of Economic Stabilization has been created to referee disputes between the Price Administrator and the Food Administrator. To add to this complexity, the Director of Stabilization is called upon to act in accordance with the policy established by another agency, the Director of War Mobilization, who acts in the name of the Chief Executive.

This leaves the meat problem squarely in the lap of the Director of Economic Stabilization.

The Price Control Act of 1942, under section 3 (e), carries a provision which you gentlemen know, that no action may be taken by the Price Administrator to restrict prices on agricultural commodities without prior approval by the Secretary of Agriculture, except that he may take such action as may be necessary to enforce compliance with any regulation previously approved by the Secretary of Agriculture.

Section 3 (f) of this act provides:

No provision of this act or of any existing law shall be construed to authorize any action contrary to the provisions and purposes of this section.

With reference to the limits between which prices shall be established, section 3 (a), among other things provides:

No maximum price shall be established or maintained for any agricultural commodity below the highest of any of the following prices as determined and published by the Secretary of Agriculture.

Now we go into another field. Executive Order No. 9250 authorized under section 2 of the Stabilization Act, sets forth in section 3 (c) as follows in this language:

No maximum price shall be established or maintained for any commodity processed or manufactured from any agricultural commodity below a price which will reflect to the producers of same a price equal to the highest price therefor specified in subsection (a).

Those are the prices which the Secretary of Agriculture is instructed to put out. All of this is to indicate congressional intention to preserve agricultural prices and to tie processed values in with them. The Congress likewise intended to insure minimum legislative price to the producer of an agricultural commodity from which the processed product is derived. Here the authority to fix the price of some agricultural commodities within the stated standards has been delegated to the Secretary of Agriculture and the Price Administrator, and the power to fix prices of processed commodities was vested solely in the Price Administrator. The Secretary of Agriculture was authorized to determine and publish parity prices as authorized by law, substantive law, law passed by this Congress. The formulation of this parity price situation is well known to the Congress and to the country. It would be pretty good at this point for you folks to dig in and analyze Executive Order No. 9250 and the Stabilization Act, side by side. Lay them down and look at them.

Section 201 (b) of that order indicated that the position and authority of the Secretary of Agriculture was to be respected and maintained. He was exempted from the otherwise general authority granted to the President to change and rechange functions of departments.

I quote from the Stabilization Act of 1942:

Notwithstanding any provision of this or any other law, no power or function conferred by law upon the Secretary of Agriculture shall be transferred to the Office of Price Administration or to the Administrator; and no powers or functions conferred by or upon any other department or agency of the Government with respect to any agricultural commodity, except the powers and functions relating to priorities and rationing shall be so transferred.

This is the law indicating the clear congressional intention of keeping the power to fix agricultural commodities undisturbed by the provisions of this act. From a part of the Stabilization Act, section 2, where the President is authorized to make rules and regulations to carry out the provisions of the act and to exercise powers or authority conferred upon him through these agencies. The section carries this change in its controlling clause. Now, mind you, this is the controlling clause:

He may not under the authority of this act suspend any other law or part thereof.

And in addition, in section 7 (c) the law goes on to state:

Nothing in this act shall be construed to invalidate any provision of the Emergency Control Act of 1942 except to the extent that such provisions are suspended under authority of section 2.

Which I have just called to your attention—

Or invalidate any regulation, price schedule, or order issued or effected under such act.

It should be noted too that the price-fixing order with reference to processed commodities remains likewise undis-



turbed by this act. Keep this in mind when I get down to a discussion of exactly what has transpired.

The power to fix the price of agricultural commodities is vested in the Price Administrator and the Secretary of Agriculture, and the power to fix prices of processed commodities is still exclusively with the Price Administrator. Continuing the legislative limits within which prices may be fixed under the Stabilization Act, you encounter certain provisos. Take proviso 1; it states that the President—I quote—

May not fix the price so low that agriculture will not receive the parity price of clause 1

Proviso 2 states:

If necessary to increase production for war—

And so forth—

such prices shall be modified under Presidential regulation.

Proviso 3 with reference to products processed from livestock, states that a reasonable margin must be allowed for processing—that means slaughtering. I could go on and indicate clearly all about the system of delegation and redelegation of congressional power which has resulted in this confusing miasma, or fog. We finally come, however, to Executive Order No. 9250, title IV, which states that—

The Director may perform the functions and duties, and exercise the power—

Now, mind you—

and authority, and decrees conferred upon him by this order through such officials or agencies and in such manner as he may determine, the decision of the Director as to such delegation and the manner of its exercise shall be final.

It is reasonable to presume that this language was intended to preclude review by the courts; and if such be true the Director may not overrule the Secretary of Agriculture contrary to substantive law; but on the other hand the Secretary of Agriculture may delegate the authority to overrule to anyone else. Keep this in mind; it is interesting.

As additional evidence we have but to glance at Executive Order No. 9328, and look at section 1, which transfers the powers, functions, and duties of the Secretary of Agriculture to the Food Administrator. Therein you will find that the provisions of this Executive Order No. 9328 constitute in themselves knowledge on the part of the executive branch that that authority has been vested by law in the Secretary of Agriculture and the Price Administrator, and their transfer thus indicated is wholly incompatible with section 3 of the Price Control Act, and section 2 and section 7 (c) which I have just read, of the Stabilization Act. The Executive did not have this authority by law either under the First War Powers Act—now listen, of 1941—the Second War Powers Act of 1942, the Price Control Act, or the Stabilization Act. So we have now a situation by which the power to fix the price of steers on the hoof is vested in the Price Administrator and the Food Administrator. Now, follow that and let us see what has hap-

pened. This is subject to the Economic Stabilization Director.

We come now to Executive Order No. 9334. This I understand is Executive Order No. 9322 as amended. Executive Order No. 9322 was issued on March 26, but was corrected and numbered 9334 on April 19, 1943. This is how quickly the change occurred. It created in the Department of Agriculture an administrator of food production and distribution which, if you will study it, you will find involved a distinct encroachment upon the powers defined by statute and conferred upon the Secretary of Agriculture. Section 3 transferred the unexpended balances of appropriations from the Department of Agriculture to the War Food Administrator. Considerable legislative legerdemain in this section created an hiatus as to whether or not there existed legal authority to replace the Secretary of Agriculture with the War Food Administrator, and we heard discussions on this floor concerning that matter. I quote a portion of section 4 of this Executive order, a portion of a sentence:

And shall not be subject to challenge by any third party affected by the exercise of the power on the ground that the action taken was within the jurisdiction of the Secretary of Agriculture rather than the War Food Administrator, or vice versa.

What do you think of that? This brief analysis leads up to a release from the Office of War Information and the Office of Economic Stabilization setting up a plan completely changing the operations of O. P. A. with reference to beef and livestock or live cattle. This release accompanied a directive from the Office of War Stabilization.

Mr. Speaker, I ask unanimous consent at this point to include in my remarks the release and directive referred to.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

OFFICE OF WAR INFORMATION—OFFICE OF  
ECONOMIC STABILIZATION

(For immediate release, Tuesday, October 26, 1943.)

1. Economic Stabilization Director Fred M. Vinson today announced that he has directed a series of important changes in the present plan under which payments are made by the Defense Supplies Corporation to slaughterers of live cattle. These modifications, which will not involve any increase in the original estimates for financing the slaughter payment program are designed to accomplish the following purposes:

2. First. To enable slaughterers who do not engage in the processing of beef—a group, made up principally of small enterprises, whose margins have been adversely affected under existing regulations—to continue in business.

3. Second. To maintain prices of live cattle within a stated range approximating the present price levels, thus affording a support price to livestock producers and at the same time discouraging unwarranted advances in the live market.

4. Third. To provide a more economical and effective allocation of present payments to all slaughterers by increasing the amounts paid for certain grades of live cattle and reducing them for others.

5. The new directive provides for a special payment of 80 cents per hundredweight live

to nonprocessing slaughterers, who are defined as "slaughterers who during the year 1942 \* \* \* sold, and who currently sell 98 percent or more of the total dressed carcass weight of cattle slaughtered by them in the form of carcasses, wholesale cuts, frozen boneless beef \* \* \* or ground beef." This sum will be in addition to the amounts paid all slaughterers. The funds for these special payments will be provided as a result of economies effected in the general payments.

6. Since May 1942 beef prices have been subject to control at wholesale and retail. On December 16, 1942, uniform dollars-and-cents prices were established by zones throughout the country for beef carcasses and wholesale cuts. Based upon these regionally uniform wholesale prices, uniform dollars-and-cents retail prices were established in May 1943. As part of the Government's program for reducing the cost of living to the general level of September 15, 1942, the wholesale and retail prices of beef were reduced by approximately 10 percent in June of 1943. In order that this reduction might not threaten production of livestock by unduly reducing the return to the producer, the price reduction was accompanied by the institution of an equalizing payment to slaughterers, enabling them to continue to pay the same prices for live cattle. The amount of this payment, which is readjusted by the directive issued today, has heretofore been \$1.10 per hundredweight on all grades of live cattle slaughtered.

7. There is, and has been, no direct control on the prices at which live cattle may be bought or sold. Price control of meat has been predicated on the assumption that the level of livestock prices would continue to be determined, as it was in the past, by the price which could be secured for meat and meat products. In fact, however, cattle prices during the past year have remained at levels consistently higher than past relationships would have indicated.

8. Despite the fact that the spread between live cattle prices and carcass meat prices has diminished, by far the greater part of the industry has experienced a substantial increase in profits above peacetime levels. A study made by the Office of Price Administration shows that the industry's profits on sales was 2.4 percent in 1942, compared with 1 percent during the period 1936 to 1939, while the return on invested capital increased from 4 to 14 percent. The peak level of 1942 profits has continued into 1943. Since the packing industry is a highly integrated industry on the whole, it is evident that the relative increase in the production of the more profitable items has permitted the industry to support a higher level of cattle prices than was anticipated when the dollars-and-cents wholesale beef prices were instituted.

9. Despite the generally integrated character of the meat packing industry, there is a substantial number of slaughterers, responsible for approximately 15 percent of the total beef supply, who perform no processing operations. This group has suffered under the existing wholesale ceilings. For the industry as a whole, the average value of beef carcasses and unprocessed byproducts has historically been less than the cost of purchasing and slaughtering cattle. This historical relationship is reflected in present wholesale ceilings, and has been accentuated by the rise in live cattle prices. Nonprocessing slaughterers have operated profitably in the past by various means, notably skill in buying and selling and ability to command premium prices in particular markets. Increased wartime demand for beef, pressing hard against the supply, and the establishment of uniform ceiling prices for all sellers, have tended to eliminate the conditions under which these slaughterers could operate



profitably. Returns from processing operations, which have increased the earnings of the great bulk of the industry, have not been open to them.

10. The present directive, affording relief to nonprocessing slaughterers by means of a special additional payment, has been issued after exhaustive study of alternative possibilities. A higher selling price for these slaughterers alone would have destroyed the structure of uniform dollars-and-cents prices which experience has shown to be essential for effective control of meat prices. Higher selling prices for the industry generally would have caused a major break in the Government's hold-the-line program and would have nullified the gains from the subsidy payments already made, while at the same time adding unnecessarily to the peak profits now being enjoyed by the greater part of the packing industry. A reduction in live cattle prices sufficient to permit the nonprocessing slaughterers to stay in business would likewise have added unnecessarily to the profits of the bulk of the packing industry. This would have been done at the expense of cattle producers, and would have nullified another major purpose of the present subsidy program to insure the maintenance of a level of livestock prices sufficiently high to encourage maximum production. The alternative of permitting the greater part of the nonprocessing slaughterers to be forced out of business would not only have been contrary to the national policy in favor of protecting small enterprises, but would have deprived the Nation of slaughtering facilities which are needed to assure the full utilization of existing meat supplies.

11. The directive has a second major purpose: to stabilize the prices of live cattle within a range corresponding approximately to current levels.

12. A substantial increase in present live-cattle prices would nullify the relief which the directive affords to nonprocessing slaughterers. It would also threaten the position of the industry as a whole. A decline in live-cattle prices, on the other hand, would defeat the purposes of the general subsidy program by discouraging production, and would be detrimental to the interests of livestock producers.

13. The Director has considered the possibility of establishing both price ceilings and support prices for live cattle. The present directive, while avoiding the disadvantages of a formal price regulation or support price program, seeks to accomplish the purposes of both. This it does by requiring deductions from subsidy payments in the case of any slaughterer whose monthly payments for live cattle are either above or below the range of prices provided for in the directive.

14. The directive states both high and low market prices for each of the various grades of live cattle at Chicago. A spread of \$1 per hundredweight separates the high and low price for each grade. Similar high and low prices at points other than Chicago, which are in line with Chicago prices, will be determined and published by the Price Administrator and the War Food Administrator. Recipients of livestock slaughter payments will be required to report each month the aggregate amount paid for live cattle and the dressed carcass weights of each grade slaughtered. The maximum and minimum amounts which should have been paid for live cattle will be computed on the basis of the dressed carcass weights. The amount, if any, by which the aggregate prices actually paid either exceeded the maximum or fell short of the minimum which should have been paid will then be deducted from the regular slaughter payment. The method of varying subsidy payments will thus be used to assure that cattle prices are neither unduly depressed nor bid up to a point, beyond that

required for production, which threatens the stabilization program.

15. A primary objection to a live-cattle ceiling has been the difficulty of grading live cattle on the hoof and, in particular, of determining the grade of carcass beef which any individual steer will produce. The industry has customarily bought cattle at varying prices depending on expert estimation of the quantity and quality of meat which will be obtained. The appraisal which cannot be made with certainty on an individual basis can be and normally has been made on the basis of aggregate purchases over an extended period. The directive recognizes this normal method of buying. It measures prices paid on the basis of average monthly payments. Individual purchases are thus uncontrolled. A range of \$1 per hundredweight, moreover, is permitted between the high and the low prices. Deduction from subsidy payments is the only penalty for falling outside this range.

16. The subsidy payment heretofore made has been in the amount of \$1.10 per hundredweight of live cattle, irrespective of grade. The new directive provides for modified payments varying according to grade. The payment for Choice will be \$1 per hundredweight, for Good \$1.45, for Medium \$.90, and for the lowest grades \$.50.

17. The prices set forth in the directive have been determined so as to return to cattle producers approximately current prices. At these prices, and at prices prevailing in recent months, the relationship between the live-cattle price and the value of the carcass and its unprocessed by products has varied materially for different grades. These prices in some respects increase this variance. They have been calculated so as to assure the continuance of essential feeding. Hence a spread of \$3 per hundredweight has been provided between the top prices for Medium and Choice cattle and of \$4.25 between Common and Good. For certain grades these spreads increase the negative margin between the live-cattle price and the value of the carcass and unprocessed by products. Thus, the present flat payment of \$1.10 per hundredweight is more than is needed for certain grades and less than is needed for others.

18. To remove these variations by altering the present wholesale and retail price structure would impose a substantial burden on the industry and upset the stability of beef prices which has only recently been established. The directive accomplishes the same result by varying the subsidy payment for the different grades. This will benefit slaughterers of all types who slaughter in the main those grades of live cattle with respect to which the negative margin has been greatest. Included in this group are many nonprocessing slaughterers.

19. The savings effected by reducing subsidy payments on grades for which the payment has been excessive are estimated to be sufficient to cover the cost of the additional payment of \$.80 per hundredweight which is provided for nonprocessing slaughterers.

20. The directive also requires the War Food Administration to develop a system of allocation as soon as practicable.

21. It is recognized that the success of this program in keeping cattle prices within the desired range will tend, at certain times, to create intense demand among slaughterers for the available supply. To prevent either a break-down of the program, or maladjustments in the movement of cattle to individual slaughterers or feeders or to various regions of the country, a method for directing the flow must be ready for immediate use. Accordingly, this directive directs the War Food Administrator to institute a system of allocation of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

#### OFFICE OF ECONOMIC STABILIZATION DIRECTIVE

1. This directive is issued pursuant to the authority vested in me by the act of October 2, 1942, entitled "An act to amend the Emergency Price Control Act of 1942 to aid in preventing inflation, and for other purposes," and by Executive Order No. 9250, October 3, 1942, and Executive Order No. 9328, April 8, 1943.

2. First. The purposes of this directive are to insure: (a) That the livestock-slaughter payments made with respect to cattle under Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments) inure to the benefit of cattle producers;

3. (b) That such payments are made only to the extent necessary to maintain live-cattle prices within a range consistent with the purposes of the stabilization and production programs;

4. (c) That such prices do not impose undue hardship upon any group of slaughterers whose output is needed to obtain the maximum necessary production; and

5. (d) That the available supplies of live cattle are equitably distributed among slaughterers and feeders.

6. Second. It is hereby determined that the stabilization and production programs require the maintenance of live-cattle prices within the following ranges:

7. Grade:	Price per hundredweight at Chicago
Choice.....	\$15.00 to \$16.00
Good.....	14.25 to 15.25
Medium.....	12.00 to 13.00
Common.....	10.00 to 11.00
Cutter and canner.....	7.45 to 8.45
Bologna bulls.	

8. The Price Administrator and the War Food Administrator are directed to determine and publish, and to certify to Defense Supplies Corporation, live cattle prices at points other than Chicago which are in line with the foregoing Chicago prices.

9. Third. There shall be deducted from the livestock-slaughter payments hereafter made to any slaughterer under Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments) the net amount, if any, by which the total of the prices paid by such slaughterer for all live cattle purchased during the month for which the payments are made either fell short of the total amount he would have paid at the lower of the applicable prices, or exceeded the total amount he would have paid at the higher of the applicable prices, set forth or provided for in paragraph 6 above.

10. The grade of live animals purchased by a slaughterer shall be determined on the basis of the carcass grade. The Price Administrator and the War Food Administrator are directed to determine and publish, and to certify to Defense Supplies Corporation, conversion factors for determining the dressed-weight equivalents of live weights.

11. In the case of slaughterers who operate more than one plant, the amount of the payments and deductions to be made shall be determined separately for each plant.

12. Fourth. The livestock-slaughter payments hereafter made with respect to cattle under Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments) to any slaughterer whose beef carcasses are graded by an official grader of the Food Distribution Administration shall be revised and computed on a grade basis as follows:

13. Grade:	Payments per live hundredweight
Choice.....	\$1.00
Good.....	1.45
Medium.....	.90
Common.....	.50
Cutter and canner.....	.50
Bologna bull.....	.50



14. Livestock-slaughter payments made to slaughterers whose beef carcasses are not graded by an official grader of the Food Distribution Administration shall remain unchanged.

15. Fifth. Slaughterers who during the year 1942, or a representative portion thereof sold and who currently sell 98 percent or more of the total dressed carcass weight of cattle slaughtered by them in the form of carcasses, wholesale cuts, frozen boneless beef (Army specifications) (carcass equivalent), or ground beef, shall be paid in addition to the payments authorized by Regulation No. 3 of Defense Supplies Corporation (livestock-slaughter payments), the amount of \$0.80 per hundredweight of cattle slaughtered during the month for which such payments are made.

16. Sixth. Defense Supplies Corporation is directed to amend Regulation No. 3 (livestock-slaughter payments) in accordance with this directive.

17. Seventh. The War Food Administrator is directed as soon as practicable to institute a system of allocation of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

18. Eighth. The Secretary of Commerce is directed to determine on the basis of facts certified by the War Food Administration and the Office of Price Administration whether the effectuation of the expressed purposes of this directive require adjustments in, or addition to, the payments contemplated by this directive because of inequities resulting from differences in transportation costs.

19. Ninth. This directive shall become effective immediately, except that paragraphs 3 and 4 shall become effective on December 1, 1943, and payments under paragraph 5 shall be made with respect to cattle slaughtered on and after November 1, 1943.

Issued this 25th day of October 1943.

FRED M. VINSON,

Director, Office of Economic Stabilization.

Mr. KLEBERG. Mr. Speaker, from the record of the hearing held on Tuesday, October 26, before the House Committee on Agriculture relative to this directive, Mr. Gene Carroll, Director of Food Prices; Mr. J. F. Brownlee, Deputy Administrator of the Office of Price Administration; Dr. Richard B. Gilbert, Chief Economic Adviser to the President; and Mr. R. B. Hefebauer, economist of the Office of Price Administration, Food Price Division, testified, in part, as follows:

Mr. KLEBERG (acting chairman). What grower has asked for this plan?

Mind you, the plan I am talking about is contained in this directive which I have asked to be inserted at this juncture in my remarks.

Mr. CARROLL. I would not say that any have asked for this specific plan.

Mr. KLEBERG. What grower has been consulted with reference to this plan?

Mr. CARROLL. At a meeting in Chicago—I attended a meeting in Chicago with the Industrial Advisory Committee and on that committee were five representatives of the stockmen.

Mr. KLEBERG. Did they agree to this plan?

Mr. CARROLL. Not to this specific plan.

Get that, and just think of it—"Not to this specific plan."

Mr. Speaker, I have here before me a copy of the hearings held before the House Committee on Agriculture, and I think the Members will be interested in just what goes on here.

Mr. KLEBERG. Has this plan been adopted? Mr. CARROLL. The plan has been approved for the present.

Mr. KLEBERG. Has it been actually approved?

Mr. CARROLL. I think so.

Mr. KLEBERG. Don't you know?

Mr. CARROLL. That is my understanding.

Mr. BROWNLEE. My understanding is that the Director of Economic Stabilization is issuing a directive to us—

Mind you, "issuing a directive to us"—to put this plan into effect.

Mr. KLEBERG. Was this plan presented to the Office of Food Administration?

You will recall what my colleague from Texas has just said to you in his remarks just preceding me. Listen to this:

Mr. KLEBERG. Was this plan presented to the Office of Food Administration?

Mr. BROWNLEE. Yes, sir.

Mr. KLEBERG. Who presented it to the Office of Food Administration?

Mr. BROWNLEE. Mr. Carroll, Mr. Gilbert, Mr. Hefebauer, and myself.

Mr. KLEBERG. Did the Office of Food Administration agree to it?

Mr. BROWNLEE. No, sir.

Mr. KLEBERG. Did they oppose it?

Mr. BROWNLEE. Yes, sir.

Mr. KLEBERG. Do you know whether or not Judge Vinson opposed or approved this plan?

Mr. BROWNLEE. I understand he has approved it.

Mr. Speaker, right at this very juncture, may I say to you, at this very moment during which this interrogation was under way, the plan had been approved by Judge Vinson and signed, and these gentlemen knew it. Let us continue.

The gentleman from North Carolina [Mr. COOLEY] asked this question with reference to the directive and the ceilings contained therein on live cattle:

Mr. COOLEY. Why was this ceiling necessary?

Mr. BROWNLEE. May I make a statement on that, because, as you have stated, we are caught with the time factor, which makes time of the essence. The situation in which the agency finds itself is an unusual one.

This is from the hearings.

Follow this:

A group of packers—the small non-processing slaughterers—have entered in the emergency court a series of protests against the fairness of the meat regulations. He has stated in these protests that he is caught between wholesale ceilings and the price of cattle which has forced him to the point at which he cannot operate at a profit—in fact, where he is operating at a very great loss. This is not confined in any way to the marginal producers in the industry. This is a group of—

Mr. KLEBERG. You are speaking of the Nagle case?

Mr. BROWNLEE. This is among them.

I am going to jump just a little, but on the same subject. You cannot follow the whole hearings.

Let us pursue that just a moment in the matter of these cases. The Nagle case, when did it come up for trial?

Mr. BROWNLEE. I think it was originally entered back along in April or May.

Mr. KLEBERG. When was the trial completed?

Mr. BROWNLEE. The trial has not been completed yet.

Mr. KLEBERG. Where is the case now?

Mr. BROWNLEE. The case is in the emergency court.

Mr. KLEBERG. From what court did it come to the emergency court?

Mr. GILBERT. The first court in this case is the emergency court.

Mr. KLEBERG. Now, then, this setting up of regulations that are now going on are for the purpose of or their purpose is to be put into effect before the decision in this case?

Mr. BROWNLEE. Yes, sir.

Stop and think that over for a minute.

Mr. KLEBERG. Now, then, when do you expect a decision in that case?

Mr. BROWNLEE. We are directed by the court to answer that case, I believe, on Thursday of this week, the 27th or 28th.

Mr. KLEBERG. You say you are told by the court?

Mr. BROWNLEE. Yes, sir.

I will omit here a rather lengthy statement prior to the following statement.

Mr. KLEBERG. You say you were told by the court?

Mr. BROWNLEE. Yes, sir.

Mr. KLEBERG. Then you immediately went at the purpose of setting up new regulations to take the place of those for which the case was brought?

Mr. BROWNLEE. May I say to you, sir, there is nothing there new. Many months before I was with the O. P. A. they realized that this matter was one for which they had to find a solution.

Mr. KLEBERG. Did anyone discuss the probability of the decision with the court connected with the O. P. A. to give you an idea that the regulations attacked might be construed as illegal by the court?

Mr. BROWNLEE. Yes, sir.

Now, Mr. Speaker, this matter presents the unusual picture of members of a body which constitute this fourth branch of Government giving to another agency within it the power to write laws by directive to be administered by them, to supplement the irregularity of their operation under substantive law passed by the Congress, all of this without the knowledge or consent of that part of the public affected. Keep that in mind.

The O. P. A. by the hearings indicated that the producers did not agree, yes, that they had not been consulted, but opposed the program, and notwithstanding that fact you have here the fully developed picture of a directive in operation with the full force and effect of law, first by changing from the legislative branch to another law-making branch which operates under and by directive without the sanction or approval of the Congress in excess of powers delegated to the Executive under either the First or Second War Powers Acts, as I have explained to you.

Seriously, does this increase or decrease the confusion in the minds of those who are called upon to fill the larders of this Nation to meet the demands of our civilian, Army, and Allied requirements?

Mr. Speaker, there are those among us who remember the National Recovery Act, passed on June 16, 1933. Following this, the most remarkable demonstration of administrative speed in history codified 80 percent of all industry in less than 18 months. Before the end of 1934



some 500 codes had been approved. One of these codes was the live poultry code, which gave occasion for the famous Supreme Court decision of May 17, 1935, in the *Schechter* or "Sick Chicken" case.

Did Congress overstep its power to delegate powers by the passage of this Act? Did Congress attempt to transfer its essentially legislative functions to others? Did Congress have the right to delegate its legislative authority to trade associations, and so forth?

I think most of you who were here at that time and even those who were not can well recall the blistering opinion of the Court with reference to the delegation of legislative power. In part the decision of the Court read as follows:

But Congress cannot delegate legislative power to the President to exercise an unfettered discretion to make whatever laws he thinks be needed or advisable for the rehabilitation and expansion of either trade or industry.

In the conclusion of the same opinion the Court had this to say:

We think that the code-making authority thus conferred is an unconstitutional delegation of legislative authority.

Mr. Speaker, under a directive recently included in my remarks and to which I have just referred, and under the powers created in Executive Order 9250 and Executive Order 9328, we find the requirement that the War Food Administration in addition to being the result of unbelievable imagination and in addition to the fact that it is claimed that this directive does not fix the price of the live cattle—we find this statement in the prospectus accompanying it. In paragraph 11, which you will find in my extension of remarks, appears this language:

The directive has a second major purpose, to stabilize the prices of live cattle within a range corresponding approximately to the current level.

What does "stabilize" mean? Does it mean the permission of prices to fluctuate, to operate as an inducement, or as a retarding influence on the coming in of cattle to the packers? What does it mean? Mr. Speaker, to stabilize prices in the cattle industry is to stagnate the industry.

Let me quote again from this release. I quote paragraph 13, and they will be numbered:

The Director has considered the possibility of establishing both price ceilings and support prices for live cattle.

Would you, my colleagues, say in view of the claim that this directive does not fix ceiling prices on live cattle that this language would do otherwise? The directive itself states in paragraph 3 under 1-b that such payments are made only to the extent necessary to maintain live cattle prices within a range consistent with the purposes of the stabilization production program.

Mr. Speaker, right at this juncture let me as a cattle producer—and I think maybe I am still one—clear your minds and the minds of the country of an illusion which I am much afraid has warped your assay of the facts and your

keen judgment. The cattle industry is not demanding and has not demanded higher prices, get that straight. Make of it whatever you will provided you do not alter its truth. There has been no cattleman, no producer, who has complained of any price connected with any legitimate grade of livestock. On the other hand, there have been complaints, of course, from feeders. There have been complaints, of course, from those who would like to buy feeder cattle and put them in their lots if they could buy corn and if after the cattle were finished they could be sold to the processor at a price which would at least include the cost of that feeding.

Mr. Speaker, the cattle industry has developed through the years into one of the most technical and highly skilled businesses in this land. It has grown up, it has been nurtured and developed not only under but by the American system of doing business under a government of laws, keep that in mind. A government of laws is relatively fixed. I am not going to ask any questions of you gentlemen concerning the complete variability of government by directive or other forms based on whim or notion. This government of laws has up until this particular period been continuously and consistently interpreted as a guaranty of equality of privilege to all of the people and a denial of special privilege to any one group or any one person within this land.

Mr. Speaker, even a horseback review of this directive would indicate, first, that it was born of subterfuge and was a result of a design to evade the explicit direction of the Congress of the United States.

It sets up a system of preference and advantage to the packer, discriminates against the producers, and militates against the best interests of the American consumer and the best interests of our armed services. It completely brushes aside the entire system of the fundamental custom of the producer, which through the years has been evolved out of the experience of millions of producers and farmers, running back for nearly one and a half centuries. It completely casts aside our long established price and distribution system by substituting an arbitrary power in bureaucrats for the constitutional power exercised under representative government. These bureaus are not elected by the people, and their appointments are not even ratified by the representatives of the people in this Congress.

Let me quote at this juncture some of the reasons for this system. In paragraph 17 of the directive under No. 7 I find this language:

The War Food Administrator is directed as soon as practicable to institute a system of allocation of livestock to slaughterers and feeders, which is adequate to maintain an equitable distribution of available supplies.

Quoting further from the release which accompanied paragraphs 20 and 21, and quoting from paragraph 20:

The directive also requires the War Food Administration to develop a system of regulations as soon as practicable.

And from paragraph 21 I quote:

It is recognized—

I do not know by whom—

that the success of this program—

That is what is important—the success of the program, regardless of the result, and God knows its objective—

in keeping cattle prices within the desired range will tend, at certain times, to create intense demand among slaughterers for the available supply." To prevent either a breakdown of the program or maladjustments in the movement of cattle to individual slaughterers or feeders or to various regions of the country, a method for directing the flow must be ready for immediate use. Accordingly this directive directs the War Food Administrator to institute a system of allocation of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

This directive directs the War Food Administrator to institute a system of allocations of live cattle to slaughterers and feeders which is adequate to maintain an equitable distribution of available supplies.

This is what comes of the laxity of the Congress in the performance of its constitutional functions, by the delegation of its legislative and its representative duties. The farmers all over this land under this directive who would like to stay in business have two choices, and just two. They have the first clause of the directive, this No. 1, which is No. 1. They have the choice of selling calves still simply fed on the mother's milk, or allowing them to grow to cows and breeding them, and this is the final scheme—the inevitable ultimate decrease in supplies. It prevents patriotic Americans from keeping their full productive capacity for work in the service of this great country of ours, now in the midst of a great war, and shouldering the greatest responsibility in its entire history.

This directive suspends or rules out the function of price in inducing production against the demands and the allocation of supplies, and substitutes every shifting and highly questioned bureaucratic notion for a system under which this country has operated for a century and a half. This sort of system, if continued in force, promises a reduction in actual supplies of beef of from 20 to 30 percent, even though a much greater number of cattle will be killed. I forecast, and I hope you will remember this, and I have a hat bet and will make it a matter of record with both Mr. Gilbert and Mr. Brownlee and I am going to give you my prediction and upon that I am sure that I will collect a hat, for I forecast that from December through March a great shortage of beef will result, first, because of the fact that pastures and farms during the winter months will have no grass, and the Government also dislocating the feeding program and the cattle which come to market will be killed and will be of a class which in ordinary times would be deemed unfit, even to merchandise, because of their low condition in flesh.

Many producers, if they have any means whatsoever, will hold these cat-



tle off the market until improvement in range conditions occurs or protein feeds are made available to them to permit those cattle to put on requisite poundage.

Let us continue to scan this directive, with which I hope you are all familiar, and which is made a part of my remarks. Go back and look it over in connection with these charges. Read it over carefully when it comes out in the RECORD.

It has been admitted both officially and unofficially, not only in the producers, in the processors, in the distributing circles but by O. P. A. itself in the record of its hearings, that no one could write an effective or workable ceiling price for live cattle. There are Members on this floor from the Committee on Agriculture who have heard that statement, and without even hearing it, they knew it to be true. In the face of all of these statements, this directive attempts to establish a ceiling price for live cattle at federally inspected slaughtering plants but leaves unchanged the price ceiling applying to nonfederally inspected slaughterhouses. That means slaughterhouses where there are no Government grading facilities. These plants formerly slaughtered approximately 65 percent of the beef of this entire Nation. The language of this directive changes the system of even questionably subsidy payments such as to penalize feeders, and force cattle out of the feed lots, when the need is to attract them to the feed lots, so as to increase the supply available to the armed services, to our people, and to our allies.

The directive deviously forces the undermining of quality and requires early reduction of the supply of better quality beef as the result of overlapping ceiling and floor prices on different grades of cattle; not standard grades to which the business has been accustomed, this directive allocation of slaughter cattle and feeder cattle fixes it so that additional bureaucracy must be set up and bureaucratic devices in forms must be "thunk-up" and put in motion, to tell the farmer where, to whom, and when he must ship and sell his stock. Is this representative government? Where are we, in God's name? It completely destroys the effective purpose of buyers, so that it requires the grading of livestock on the hoof, to determine whether they are slaughter or feeder cattle. The O. P. A. and its entire group who had to do with this operation testified before the House committee, with only two absentees, after giving their biographies, their histories of experience and entire background, that there was not a single man of the four who knew one little tinker's smidgin about the business of producing cattle on the range or on the farm or in the feed lot or shipping it to the market. This in response to my questions as to how they expected to make beef out of cattle without first getting them into a packing plant; and I wanted to know if they knew anything about the business on which beef on the counter and in the pantries and on the tables of our armed

forces and our civilians and our allies depended.

This completely destroys the effective purpose of buyers insofar as the grading of livestock on the hoof to determine whether they are slaughter or feeder cattle, and it does require the setting up of criteria, formulas—and those fellows down there love formulas—which no one has yet been able to formulate; but they want to keep trying. God and the Congress helping them, they will have more formulas in spite of my friend, the gentleman from Texas [Mr. PATMAN], who defends them.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. KLEBERG. I will yield at the conclusion.

Mr. PATMAN. Will the gentleman yield at that point?

Mr. KLEBERG. The gentleman will excuse me. I know he is my friend.

Now, they have not been able to formulate these criteria. As a matter of fact, they have not even attempted it, but they are just waiting to get started. Yes; we have one criterion in this directive. The directive is in the RECORD, and I hope you study it. It is based on dressing percentage alone. Of course, the gentleman from Texas [Mr. PATMAN] knows what dressing percentage is, but I am going to tell him, anyhow.

Dressing percentage means the percentage of edible beef in its ratio to the offal and nonedible portion of the animal. This criterion is in complete disregard and discard of all of the facts of quality which have been developed through the years and which have heretofore entered into the grading, not only of beef but of cattle themselves.

Mr. Speaker, an awful lot of this monkey business which is going on downtown in this great governmental center is coming from the facile brains of men who are not Democrats. They are not Republicans. Maybe I should not say "men." Maybe I should refer to them as individuals.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent that I may conclude. I am almost through.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KLEBERG. I am going to repeat: Maybe I should not say "men"; maybe I should say "individuals"—neither Republicans nor, in my candid opinion, American in either background or ideology. One of these men who testified before the House Committee on Agriculture recently was an individual by the name of Dr. Richard V. Gilbert, who, by the way, as I understand it based on his own statement, is the chief economist of the O. P. A., and he is one of the chief inspirations involved in the subsidy and price roll-back program which has recently been so vehemently defended. Yes, Mr. Speaker, he even wrote a book. Think of it. The title of that book is "An Economic Program for American

Democracy." He knows just as much about democracy as he knows about the beef-cattle business, or any one practical thing upon which this Nation must depend to meet its responsibilities in this critical and incomparable hour. Not so very long ago a very able radio commentator, an American—I hope the press gets this and the commentators, too—his name was Fulton Lewis, Jr.—broadcast on Monday, October 11, 1943, and stated that the general theme of this particular book to which I have referred is that private business is totally incompetent to manage itself and that the entire fate of the American people and the very existence of the American people lies in the hands of the Federal Government. This statement, of course, is only a conclusion drawn by Mr. Lewis, but, Mr. Speaker, I take it as acceptable to me as recognized fact. Unless, Mr. Speaker, this Congress does its duty, analyze that statement—and I mean it as much as I ever meant anything in taking the floor on rare occasions in this Well where I stand in this group with my feet amidst the shattered debris of the greatest Government God ever had a part in forming—and I want you to know I mean it—of course the fate of the American people is in the hands of the Federal Government, which if it continues to operate as an Executive bureaucracy without check or responsibility to the Constitution, the Congress, and the people, will work its will upon them even though it be an agency completely perverted from its original constitutional form unless the voice of the people through this body is effectively heard in the halls of state. Think that over; and I am not too serious, I can still grin when trouble comes thick and fast.

Mr. Speaker, first of all I hold that the development of this great Nation did not come through the brains of men. I am sorry I used Mr. Gilbert as a guinea pig; God knows there are a host of others working with him just like maggots at the foundation of this great enterprise. This Congress, Mr. Speaker, must take definite and immediate action to rectify these perversions of a government of law and of a government operating as a representative democracy. If we do not there is no doubt but what the Congress of the United States is to blame if our form of government and the American way of life be doomed, and we will have failed to keep the faith with young Americans who die on the battlefields scattered throughout this world. Think that over. That is a serious proposal. It is your responsibility, my colleagues. This Government was created by the people and it must be maintained and supported by them. It was never contemplated in our past, our glorious past, that the Government should support the people. Let me read you a quotation from a statement made by the President in 1933. He has many sources of information, and he has a right to make any statement he sees fit to make in the discharge of his incomparably important functions. He said that the economic plant will not expand in the future as in



the past. This was in 1933. I quote from his statement:

We may build more factories, but we now have enough to supply our real and luxury needs.

All of us Democrats here remember that. What was that statement when you analyze it but uninformed defeatism without being willing to accept the glorious past of this great Nation and its ability to meet emergencies and crises as it has in the past on innumerable occasions? This was the plan of complete satisfaction, the doctrine of stagnation. Every man makes mistakes, and it is by the correction of those mistakes that we progress.

The doctrines of freedom from want and freedom from fear likewise upon careful and close analysis are defeatist and seek complete self-satisfaction. Both of them destroy initiative and ambition. There is no incentive remaining on the part of the individual to improve his lot by the exercise of his best mental and physical efforts. Genius becomes comparatively a drug on the market. Emphasis on security instead of opportunity is always a destructive power except when security of opportunity is the goal. Whenever the fields of investment are destroyed, of course, even a sense of security vanishes with them.

Mr. Speaker, if we can separate the myths of this situation from the truths of our past we can progress. To reenact a mistake is retrogression; to correct it is progress. Mr. Speaker, we have erred; we have gone too far afield from the tested and tried fields of our activities and our consequent attainment. There was once a philosopher, Mr. Speaker, who walked along looking at the stars and fell into a well. When they fished him out of the well he made this comment:

I was so intent upon what was going on in heaven I failed to see what was at my feet.

We have star- and planet-gazers with us yet and now, yes, those utopian gazers who see a Brave New World, a new planet which they planned.

O Master, high up in heaven, didst Thou plan this world on which we live or who?

Mr. Speaker, whatever the dreamers and star-gazers may dream or see in this new planet and for it, and no matter how they planned it, may I speak for those with real, not stardust between their toes. I speak for men with feet on this good earth, on this "our country 'tis of thee." With all of the vehemence I pray for the aid of God Almighty to make itself clear to you, and mean it. Mr. Speaker, I speak for their sons and daughters who are offering their lives, yes, and giving them on 14 bloody battle fronts and countless others in this old and war-torn world, yes, offering and giving their lives and healthy bodies for what? Not for this new planet, for is it new? My God, centuries back we had the acid test performed or this so-called new form of life. Emphatically no, they are not giving their lives for that. They are giving their all for our part of this—I mean this—old world, our part of it,

for our way of life, the American way of life, that a Government of the people, for the people and by the people shall not vanish from this earth.

I am not talking about that new one. I am talking about this one. And I am not concerned with this dream planet, nor am I concerned for those who plan it. For my part they can have their new world and plan it for their own "baloney" selves all alone. They have earned this right and I will defend their right to talk all they wish about it or to say all they may say about it. Yes, I could even voice a fervent prayer that as they claim to see it so plainly they set sail for it en masse now. I do not care how they go, by rocket plane or any other contrivance of their especial kind of genius, just so they go now.

We have, whether they know it or believe it or not—and by "they" I am referring to this group—a war on our hands, a grim, terrible, and, up to this tragic hour, a never-equalled war in intensity, seriousness, or danger to us and our homeland. To win it—and win it we will—we will need a lot of things. We need things that this old world produces and has produced in the past. We need clear eyes, not starry eyes, we need clear and devoted minds, minds devoted to this, our part of the world, this old world, not dreamy minds devoted to this new and foreign world, this distant, new, planned world. We need stout American hearts which appreciate and respect our allies, but who in turn expect and demand their respect, not soft, sycophantic hearts that fawningly would buy respect and gain instead disdain.

Mr. Speaker, as God is my witness, we need men and women here at home who truly appreciate our freeman's government of law and our way of life, pledged in faith on high to our common God, yes, men and women who are as devoted as those who laid down their lives to win our right to be free, yes, and, lest we forget, even as our sons and daughters are laying down their lives to keep us free.

#### EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that our colleague from Washington [Mr. MAGNUSON] may be permitted to extend his own remarks in the RECORD and to include therein an address by Rear Admiral Randall Jacobs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article entitled "Europe—American Style," by Leatham D. Smith.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. O'KONSKI]?

There was no objection.

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MASON] is recognized for 15 minutes.

#### STATISTICAL MIRAGES

Mr. MASON. Mr. Speaker, we have just listened to a magnificent analysis of the serious situation that confronts this Nation, a situation which I think can best be described by the phrase "confusion worse confounded." The gentleman from Texas has certainly placed his finger upon a good big part of the cause of this confusion worse confounded. I propose in the time allotted me to discuss another cause of the confusion that is bothering us today. I was motivated to ask for this time and to make this speech by the two extended, elaborate statistical messages the President has presented to us during the past 10 days, because these messages have confused my mind and obscured the facts in connection with the problems discussed in those messages; at least, that is my opinion. I want to direct my remarks to the cause of part of this confusion.

Mr. Speaker, with bureaus piled upon bureaus, with overlapping bureaus, overlapping commissions, overstuffed bureaus, and overstuffed commissions; with bureaus failing to correct administration incompetency, and with continual sleight-of-hand shifting and shuffling of these bureaus like a deck of cards, the Congress, in trying to untangle this scrambled mess of executive incompetency through its investigations, has now run into a new barrier, statistical mirages.

The statistical mirage is an invention of New Deal bureaucrats to add further to the confusion of the Congress and the people of the Nation by making it exceedingly difficult, if not impossible, for congressional investigators to get the facts. The most competent investigator or statistician finds these statistical mirages an almost impossible barrier for him to climb over or get through when he endeavors to get accurate figures in connection with the Government waste of manpower, or the number of men in the Federal bureaus who should be in the military service; and it makes it very difficult for an investigator, after he has gained the facts, to substantiate them for the benefit of the people. These statistical mirages are thrown up by the bureau heads to obscure the facts, much as ships in battle throw up a smoke screen to hide themselves from the enemy.

This is a sad state of affairs. It indicates a lack of intellectual honesty on the part of this administration. There was a time when the American people who read Government statistics knew they were reading the truth as accurately as competent, honest officials could determine it, but that is not true today.

Government statistics—until the advent of the New Deal—were never supposed to be used for political purposes to affect pending legislation. There is every reason to believe that they are being so used now. Events within the last week point in that direction. Let me give you a timely illustration. You will recall that on October 21 Prentiss Brown, Director



of the O. P. A., after months of failure, bowed out of the picture. In his letter of resignation, addressed to the President, he cited statistics to show that prices had been brought under control by the O. P. A., that inflation had been prevented, and the cost of living was being steadily forced down and rolled back. He stated in his letter that since Pearl Harbor, December 7, 1941, the income of farmers has risen 90 percent; average weekly wages, 33 percent; corporate profits after taxes have advanced 15 percent over level of 1941; and prices generally were up only 12 percent.

That was a nice picture of governmental efficiency and success which Mr. Brown painted. But, did he state the facts or did he throw up a "statistical mirage" to obscure the facts?

Compare Mr. Brown's statement with the statement released 1 week later, October 28, by Secretary of Labor Madam Perkins. Her statement was based on a check-up of commodity prices as of September 15, 1943. Mr. Brown must have used the same statistical information as a basis for his statement.

The Washington Daily News of Thursday, October 28, carried the headline, "Old Man Cost of Living is off on another spree." Under that headline Madam Perkins was quoted as announcing a 6-percent increase in the price of eggs; a 3.6-percent increase in fish prices; a general increase in the cost of women's wear; that the cost of housefurnishings had edged up, and that rents were higher in 15 cities out of 34; that the cost of services and miscellaneous goods was up in September, continuing the steady advance beginning in August 1942.

These conflicting statements from supposedly authoritative sources tend to create doubt in the minds of the Members of Congress and the people, who, because of the juggling tactics of the New Deal bureaucrats, have begun to question the validity of governmental statistics. It was a nice picture for the administration and for Mr. Prentiss Brown to give to the American people when he was retiring from the O. P. A., but the picture Madam Perkins painted—using the same statistics, I suppose—was of a different color; in fact, it was a dark picture. Which picture is the true picture? Are we to believe Prentiss Brown or are we to believe Madam Perkins?

Mr. Speaker, during the last week the Congress has been favored by the President with two messages, the first one on the number of men in Government service who had been exempted from the draft, and the second one on the need for greater food production and the necessity for paying food subsidies. Each of these messages contained such a quantity of statistics that they confused the mind and tended to obscure the essential facts in connection with those subjects.

Yesterday the President in his long statistical message to the Congress really opened up a second front in his campaign for subsidy payments. In that message he presented another "statistical mirage" to prove to the American people that Congress is wrong and that he is right in demanding that a subsidy be forced upon the farmers in order to roll back

prices. His subsidy roll-back program is opposed by the farmers and the milk producers of the Nation, but it is supported by William Green of the American Federation of Labor and Philip Murray of the C. I. O. The issue will come to a show-down very shortly when the bill to extend the life of the Commodity Credit Corporation comes up for action in the House. Every force that can be controlled by the administration is being whipped into shape to beat down the opposition of Congress to subsidies. Full dress rehearsals for the fight are being staged today by the bureaus.

Can it be that this sudden increase in the price of living which is claimed by the statistics of the Labor Department may have been given out at this time for the purpose of alarming the people and the Members of Congress and thus prepare the groundwork for the President's subsidy roll-back program? Are we expected to forget the nice picture Prentiss Brown painted a week or so ago?

I would not charge that such statistics are given out now in an attempt to influence the course of subsidy legislation, but I can see that these statistics do fit in very nicely with the present administration's program. The point I want to make is that here we have the use of Government statistics to support Mr. Brown and the administration a few days ago; and today we have them in absolute reverse which, whether so intended or not, support the administration in legislation it now desires. Which set of statistics is right? Whom are we to believe, if anybody? Is the people's money appropriated to carry on this vast bureaucratic set-up at an enormous expense to be spent in such a way as to prevent Congress from securing accurate information for the Nation? It raises the further question as to whether the statistics quoted by the President are correct, or are they statistical mirages devised by the administration to accomplish its objectives?

The Military Affairs Committee of the House seeking to determine the number of young men eligible for the draft in the various departments of the Federal Government has just filed its interim report. After weeks and months of labor this committee found some 721,237 young men in Government service between the ages of 18 and 38 eligible for military service. The committee members apparently became confused and confounded by the statistical mirages that were thrown up in front of them. On page 10 of House Report No. 790, a report of the subcommittee of the House Military Affairs Committee, we read:

#### STATISTICAL MIRAGE

There is amazing faith on the part of Government in mere statistics. The trouble with them is they become a substitute for thinking about a problem, or for getting to the reality of the situation. Statistics are merely symbols and in themselves meaningless except as they are interpreted back into the situation from which they developed. Figures on a national scale, covering a multitude of actual situations, lose reality in their consolidation. The same is true in an over-all picture of an agency.

It seems that the report of this committee was almost prophetic, or that the writer had a premonition that there were

more statistics to come, and that they would come from the White House.

George D. Riley, editor of U. S. and Us in the Washington Times-Herald, had this to say, and I quote:

The President is in an argument with the House Military Affairs Committee over statistics. Figures have been used several years now to confuse those who want to prove or disprove something; in this case the number of occupationally draft-deferred Federal officials. Last week we said there was a race on to see whether "Fire Chief" S. I. Rosenman could whip up a batch of statistics for public consumption or whether Selective Service would tell the story first. The President and the "Fire Chief" lost; got there too late; and the Costello committee adopted Selective Service's findings.

It appears from his message to the Congress on the number of men in Government service who have been deferred that the President has been a little irritated by the criticism of the Federal Government bureaus under his control for not disgorging more young men of military age. Being so irritated he proceeded to give the Costello committee, a subcommittee of the Military Affairs Committee, a slight verbal spanking and covered them up with statistics in which he sought to prove his point that there was not an undue number of men being deferred in the Federal departments of military age—another sample of a statistical mirage.

Mr. Speaker, it is difficult for the Congress to know what is the true situation with respect either to the cost of living or the number of young men deferred in the Federal bureaus who should be in the military service, because of the use of these statistical mirages. We hope that the President was nearer correct in the statistics he quoted on the Federal bureaus and their young men who are eligible for military service than he was recently when he made the statement that oil production in the Nation had increased by 66 percent since the beginning of the war, because on that occasion his figures did not give a true picture of the oil situation. In fact, according to Secretary Ickes, the increase was only 19 percent. Ickes' figures have been found correct.

It is to be hoped that Judge Rosenman, who was referred to by the columnist as the "Fire Chief" for the administration, if he compiled the data the President used in his message to the Congress on the number of men of military age in Government service who have been deferred, and also the figures the President used in yesterday's subsidy message, checked and rechecked his computations. We are becoming accustomed to confusion in government. Perhaps there is some excuse for that under war conditions. However, we see neither excuse nor justification for the use of statistical mirages to confuse the mind and becloud the issues.

#### EXTENSION OF REMARKS

(Mr. BOYKIN asked and was given permission to extend his own remarks in the RECORD.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DAY] is recognized for 30 minutes.



# THE RAW DEAL HANDED RAILROAD WORKERS BY THE NEW DEAL

Mr. DAY. Mr. Speaker, the million railway workers represented by the 15 nonoperating railway labor unions have recently made public a history of the 13 months' old wage dispute involving practically all of the railways in the United States. On the basis of this public document it now becomes apparent that these loyal and faithful railway employees in the Nation's vital transportation industry have been handed a raw deal by the New Deal.

After the President's Emergency Board made its report last May 24, recommending an 8-cent hourly increase as a compromise basis of settlement in the dispute growing out of the employees' request for a raise of 20 cents an hour, the representatives of these railway workers notified the President of their disappointment with the small amount of the increase recommended.

On May 27, when the employees made their views known to the President he requested them to accept the increase as recommended by the Board and in view of the national emergency the employees' representatives agreed to do so, and as a result of the White House conference they regarded the wage question as closed.

Immediately thereafter, according to press reports, the President again indicated his willingness to approve the 8-cent hourly increase and likewise made public the fact that he contemplated taking action which would establish for the railway workers the same overtime provisions after 40 hours per week that had been provided for in an Executive order for other war workers.

Following this White House conference on May 27 the representatives of the employees then made arrangements with the national committees representing the railways for a meeting to be held in New York on June 24, for the purpose of writing the Emergency Board's recommendations into an agreement.

However, on June 23, the employees were advised that Stabilization Director Vinson, on June 22, had issued an order canceling the Board's recommendations and directing that they should not become effective.

This unexpected action on the part of Mr. Vinson, following the impression that had been left with the employees at their White House conference, contributed greatly to a further disturbance of morale on the part of railway workers who were already highly resentful because of the long delays that had already been encountered in their efforts to establish a more reasonable minimum wage, and to correct the existing wage inequities prevailing in the railroad industry.

These wage inequities were found to exist in the report to the President by the Emergency Board, appointed February 20, 1943, from which report we quote:

1. The railroad industry, which constitutes the heart of our transportation system, is indispensable to the effective functioning of our national life, even under normal conditions; in these critical days, the entire war effort of the Government and the people of the United States is dependent upon unin-

terrupted, efficient, and vigorous performance by the railroads.

2. The record of the railroads during the war emergency, including the period of defense activity, has been a magnificent one.

3. This outstanding performance of the railroads has been the result of the constructive, self-denying, and patriotic attitudes of both the managements and the men.

\* \* \* Fundamentally, a spirit of cooperation has vitalized the efforts of the managements and the men, without free and complete and wholehearted cooperation between the carriers and their employees the magnificent record of the railroads, as made thus far, could not have been achieved.

4. It is of the utmost importance that this spirit of cooperation be not impaired. \* \* \* Every care must be exercised not to weaken or endanger this morale either through indirection or through outright injustice.

6. As a result of the influence of this legislation as applied to the rail carriers, railroad wages have maintained a degree of stability, entirely apart from the anti-inflation measures of the war emergency, that has been equaled or surpassed by few industries. Wages on the railroads have moved more slowly, both up and down, than in industry as a whole, and the level of railroad wages, both up and down, has changed more moderately than in other industrial spheres.

15. The Stabilization Act of October 2, 1942, sought to stabilize wages, as far as practicable, on the basis of the levels which existed on September 15, 1942. It did not, however, freeze all wages as of that date. It authorized the President to provide for such adjustments as might be found necessary to aid in the effective prosecution of the war or to correct gross inequities.

20. The wage increases recommended below for the 73 classes of nonoperating railroad employees, on the basis of a careful study and analysis of the entire record, are designed to correct gross inequities and to aid in the effective prosecution of the war. We certify that they conform with the standards prescribed in Executive Order 9250, the general stabilization program made effective thereunder, and with the directives on policy issued by the Economic Stabilization Director thereunder. They are the minimum and noninflationary adjustments necessary for these purposes. They are within the existing price structure: That is, they do not provide a basis for increases in railroad rates or for resistance to justifiable reductions in such rates; and they are within existing levels of production costs; that is, they do not provide a basis for increasing production costs in comparable industries or occupations. The correction of the gross inequities disclosed by the facts of record is indispensable to the effective prosecution of the war.

21. The average earnings of the 73 classes of nonoperating railroad employees involved in this dispute, embracing skilled, semi-skilled, and unskilled workers, as of October 1942, were 73.8 cents an hour. The prevailing minimum wage for these employees is 46 cents an hour.

22. The total number of railroad workers in these 73 classes in October 1942, a month of higher than average employment, was 1,097,180. About one-half of these workers—544,106, or 49.6 percent—received less than 70 cents an hour; 411,684, or 37.5 percent, received less than 60 cents an hour; 255,813, or 23.3 percent, received less than 55 cents an hour; 160,438, or 14.6 percent, received less than 50 cents an hour; 104,269 received the prevailing minimum rate of 46 cents an hour, and 16,871 received less than 46 cents an hour—this bracket of those receiving 46 cents and less comprising more than 11 percent of all the workers.

25. On July 16, 1942, in the Little Steel case, the National War Labor Board fixed the minimum rate in the steel industry for com-

mon labor at 78 cents per hour, which is substantially in excess of the average hourly earnings of the 73 classes of railroad employees.

26. On a craft or class basis, 40 of the 73 classes of railroad employees, embracing in the aggregate slightly more than 400,000 workers, have not received the full 15 percent increase in straight-time average hourly earnings since January 1941, provided for under the Little Steel formula as a cost-of-living adjustment.

27. The 73 classes of railroad employees have an established 48-hour workweek. If these employees were to be compensated at time and one-half for work in excess of 40 hours per week, that is, on the basis that is being increasingly applied in industry as a whole, an adjustment of 8.33 percent on basic rates of pay would result. This would mean an increase in pay of slightly more than 6 cents an hour, independently of any change in basic rates of pay.

The Director of the Office of Defense Transportation, as recently as September 1, 1943, has made this statement:

The indications are clear that the railroads of the country are headed for a manpower crisis unless extraordinary measures are taken and taken quickly to forestall it.

The program advanced by the Director of the Office of Defense Transportation includes the recruiting and enlisting of women employees, provision for time-and-a-half payments for overtime for certain employees, the utilization of Mexican workers and of prisoners of war for certain work of groups of employees involved in the present proceedings. The emergency board reported to the President on May 24, 1943, that these employees were inadequately paid on many bases, that various crafts received sharply lower wage rates than those paid to comparable groups in nonrailroad industries. I am officially informed that more than 1,045,000 new employees were hired by the railroads during a recent 12-month period, with only a net gain in total employment of approximately 100,000.

There is no disputing the fact that railroad transportation is a vital necessity in the effective prosecution of the war. There is no disputing the fact that the flight of labor (not collectively but individually) from the railroad industry is caused in large measure by the inadequacy of existing wage payments. There is no disputing the fact that the inability of the railroads to obtain and to retain the services of competent employees is steadily reducing the efficiency and safety of railroad service, and that the establishment of wage payments which will permit the railroads to employ and to retain the employment of an adequate number of trained workers is vitally necessary to the effective prosecution of the war.

Following Director Vinson's cancellation of the 8-cent hourly increase the representatives of the railway workers again discussed the matter with the President in a further effort to reach an understanding which would serve as a basis for adjusting the dispute. The matter then apparently dragged along with further conferences being held with Mr. Vinson and with Mr. Byrnes, the Director of War Mobilization. Finally, on July 29, Mr. Byrnes, repre-



senting the President, requested the union spokesmen and the railways committee to meet and reach an agreement. The employees' representatives agreed to this request with the clear understanding that if such an agreement was to be made it would have to provide for the same wage increase as recommended by the emergency board.

As a result of this continued effort an agreement was signed in Washington on August 7 by the representatives of the railways and the employees which provided for the 8-cent wage increase effective as of February 1, 1943, as recommended by the President's fact-finding board. This agreement provided that it was subject to any existing requirements of law and that it was in settlement of the dispute that had been pending since the employees first served their notices on the railways on September 25, 1942.

In spite of the fact that the agreement signed by the railways and the employees on August 7 was in keeping with earlier understandings had with the President and other Government representatives, the spokesman for the New Deal again broke faith with the railway employees and refused to give formal approval to the agreement in behalf of the Government. As a result of this reversal of position on the part of Mr. Vinson, the agreement did not become operative.

Further conference then developed the fact that the New Deal bureaucrats were unwilling to grant a flat 8-cent hourly increase, but that they were agreeable to a step-rate increase embracing the \$204,000,000 represented in the emergency board proposal, but granted on a step-rate basis which would give 10 cents an hour to the railway employees receiving 46 cents an hour and graded down to 7 cents an hour for higher-paid workers.

This new position on the part of the Government resulted in another conference between the President and the union's spokesman on September 16, at which time the President insisted that the lower-paid groups should have a larger wage increase than those in the higher wage brackets. Therefore, an understanding was reached along that line in order that the case might be settled that day, namely, September 16. Pursuant to this White House understanding the employees' representatives submitted a wage scale which provided that those being paid 46 cents an hour or less would be increased to 56 cents; the 47-cent rate would be increased 9 cents per hour; the rates of 48 cents to 75 cents, inclusive, would be increased 8 cents per hour; and the rates of 76 cents per hour and above were to be raised 7 cents.

At the President's request on September 16, the representatives of the employees met later that same day with Mr. Byrnes and discussed the proposed scale of wages in keeping with the understanding reached at the White House, but here again it developed that the promises were not kept, with the result that another bitter disappointment was added to those which had already had a serious effect upon the morale of the

workers in this vitally important industry.

Instead of following through with the program for adjusting the dispute on the basis of the understanding reached with the employees' spokesman, the President later, on October 16, created another special emergency board to reconsider the entire matter. This new board, however, was not given free and unhampered opportunities to consider the matter on its merits, but under the President's Executive order they were called upon to consider the wage dispute, not only in the light of the stabilization program, but also in the light of the opinion made public earlier by Director Vinson, when he refused to approve the first emergency board's recommendations.

During the 13 months that this dispute has been pending, the labor situation in the railroad industry has become more and more serious until now we are not only confronted with a labor crisis but likewise with the threat of a Nation-wide railroad strike.

As a result of all this backtracking, this failure to keep one promise after another, this political shadow-boxing, and one disappointment on top of another, we now have a chaotic condition in the railroad industry where labor relations have been remarkably stable for a period of 20 years.

If this situation were not so dangerous and so critical from the standpoint of the successful prosecution of the war, it would be amusing to note that these hopelessly unstable conditions, in an industry long known for its stable labor relations, has grown out of the stabilization program directed by the head of the New Deal and administered by his flock of New Deal "lame ducks."

I sincerely hope this railroad wage dispute can be adjusted without a strike and that an early solution to this serious question may be found in order that the morale of the railway workers can be restored to its normally high standard. I feel that in view of the present grave situation a solution short of a Nation-wide railway strike can be found and should be found.

In the face of the record which has now been made public, I think we can safely assume that no matter what the final outcome of this issue may now be, the powerfully organized railway workers will have a better understanding of the political manner in which the New Deal functions. On the basis of this record of political juggling, broken promises and repeated disappointments, the workers in the railroad industry should now be fully convinced that the New Deal has become such a raw deal that it is long overdue for a trip to the laundry.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada [Mr. SULLIVAN] is recognized for 20 minutes.

#### RAILWAY LABOR CRISIS

Mr. SULLIVAN. Mr. Speaker, more than a year ago, or on September 25, 1942, the representatives of 15 standard railway labor organizations, in compli-

ance with the demands on the part of more than 1,000,000 organized railway workers, requested an upward revision in the wages existing at that time.

Now, more than a year later, we have a dangerous labor crisis in the vitally important railroad industry due to the fact that the wage dispute has been permitted to drag for more than a year without being adjusted. This threatening situation has reached the critical point where it is no longer merely a wage dispute between a group of highly organized workers and an equally highly organized group of managers. It is now a matter of serious national concern since it has produced a combination of circumstances that threatens the continued successful prosecution of the war. The safe and efficient operation of the railroad industry is indispensable to our successful war effort. Failure to adjust this wage dispute over a period of more than a year has now produced a labor crisis which involves the national well-being, and it is therefore a matter that Congress can well afford to give its attention to. In fact, it is a matter that Congress cannot afford to ignore.

The requests for wage changes were served by the representatives of these 15 railway labor unions more than a year ago in accordance with the provisions of the Railway Labor Act and in keeping with the appropriate requirements of the existing wage and working agreements that have long been in effect between the employees and the employers of the railroad industry.

Following the procedure laid down in the Railway Labor Act, which has avoided any major strike in the railway industry for more than 20 years, the organized railway employees first held conferences with their separate system managements in an effort to reach an agreement in connection with their request for wage adjustments. Without a single exception, the representatives of these separate railway managements refused the requests of the employees in their entirety, and thereafter the dispute thus created was made a matter of national conference or discussion between national committees representing the employees as a whole and substantially all railroad companies.

In these national conferences the proposals of the employees were again rejected, thereby creating a condition which, in peacetimes, would have led to the immediate taking of a strike vote for the purpose of determining the wishes of the involved employees for further action.

By Executive order the President established a national railway labor panel in February 1942, from which so-called emergency boards might be designated to hear, investigate, and make recommendations upon any dispute which in peacetimes might lead to the taking of a strike vote and a strike threat. The same basic procedure was to be followed as is provided for in section 10 of the Railway Labor Act. A board was finally selected from this railway labor panel and began its public hearings in the dispute in Chicago on March 1, 1943.



Both parties to the dispute were afforded a full opportunity to be heard in their own behalf, to submit all the evidence and testimony that they desired in support of their own interests and to cross-examine witnesses of the opposing side. The organizations and the railroads were both represented in the hearings by an impressive array of legal counsel, and each party to the dispute was allowed all the time it desired in presenting voluminous testimony through statistical and economic experts and other witnesses. The public hearings ran from March 1 to May 7 with a few brief recesses, and during that period 44 days were devoted to public hearings and investigation. The Government's stabilization program was strongly emphasized throughout the hearings by the railroads as a major part of their case against any increases. The employees strongly emphasized the necessity for more equitable wages as a means of retaining the experienced employees who were already beginning to leave the industry for the higher wages prevailing in other war activities.

During the 44 days of public hearings, a total of 234 exhibits was introduced, 122 by the employees' organizations and 112 by the carriers. These exhibits ranged in size from 1 to more than 100 pages. The official transcript of the hearings consisted of 6,338 pages. The Emergency Board engaged a staff of economic and statistical experts for the purpose of analyzing and digesting the voluminous evidence and testimony. The Board then considered the matter in executive sessions for a period of about 3 additional weeks following May 7.

Thereafter, on May 24 of this year, or 9 months after the wage case was first inaugurated, the Board submitted its report to the President and recommended an increase of 8 cents an hour, informing the President that the inequalities found to exist in railroad wages and the substandard character of the railroad wage structure justified an even greater increase, but, at the same time, recommending that the increase be restricted to 8 cents in the light of the Government's stabilization program.

Mr. Speaker, the chief executive officers of the 15 involved organizations then informed the President of the bitter disappointment of railroad workers with the small amount of increase recommended by the Board but stated that in view of the war emergency and all related circumstances, it would be accepted as a basis for the settlement of the dispute.

Under the provisions of Executive Order 9299, the Director of Economic Stabilization has 30 days after a railroad emergency board files a report in which to act upon any recommended wage increases. During the early part of this 30-day waiting period provided for in the Stabilization Act, the President, in one of his press conferences, indicated his approval of the Board's recommendations, and this fact was then widely publicized throughout the country, with the result that the million railway workers involved, together with their representatives, took it for granted that the dis-

pute could be concluded and terminated on the basis of the 8-cent hourly increase as recommended by the Board.

However, after waiting 29 days, the Director of Economic Stabilization issued an order on June 22, canceling the wage increase. It is my opinion, Mr. Speaker, that prior to the issuance of this order, the Director of Stabilization had not reviewed the 6,338 pages of transcript covering the public hearings, nor had he examined any of the 234 exhibits introduced at the public hearings by the involved parties. He held no conferences and sought no discussions with the representatives of the million railway workers involved in the dispute who were adversely affected by his arbitrary cancellation of the wage order after the President had publicly indicated his approval of it.

However, the attorneys and other representatives of managements were allowed to file and did file with the Stabilization Director's office a brief in opposition to the 8 cents recommended by the Board, but the employees' representatives and their legal counsel were kept in the dark with respect to the brief as filed by the railways in that they were not provided by management with a copy of it; nor were they informed that it had been filed; nor were they afforded by the Stabilization Director's office an opportunity to review it, reply to it, or comment upon it. In fact, they knew nothing about such brief until after the Stabilization Director had canceled the increase recommended by the President's Emergency Board.

During the 8-month period that passed between the time the employees served their notice for a wage increase on September 25, 1942, and the issuance of the Emergency Board's recommendations on May 24, 1943, the railroad industry lost many of its experienced workers who left their railroad jobs for higher wages and the more favorable overtime payments prevailing in other major war industries. During this period, however, many railroad workers remained on their jobs apparently with the expectation that their substandard and unequal wages would be improved as a result of the Emergency Board's recommendations and investigations. While not satisfied with the amount of increase recommended by the Board, they still preferred to remain on their railroad jobs, and they were fully confident that this 8-cent raise would be granted in view of the President's public statement at a press conference.

As a result of this long delay which had seriously affected the morale of the workers, and under all the existing circumstances, the wholly unexpected and arbitrary action on the part of the Stabilization Director fell like a bombshell on the ranks of railroad labor on June 22, with the result that the railroad labor situation became more serious. The industry had been losing its experienced workers at an alarming rate, and thereafter the labor situation became more critical from day to day.

In addition to losing their trained and experienced forces, the railroad industry also found itself unable to recruit new

workers of the high standard required for safe and efficient operation of this indispensable industry, with the result that they were then forced to the extraordinary employment policy of employing women in section gangs and in and around railway shops where hard physical labor constitutes an inescapable part of the job. They then began hiring 16-year-old children and over-age men. They urged and obtained the privilege of importing thousands of Mexicans, and they petitioned for the right to work war prisoners. When all these unusual sources of substandard labor proved inadequate, they then began the practice of contracting out their work at wage rates much higher than the railroad industry itself would have been required to pay even with eight cents added to the basic rates set forth in their agreements with their own organized employees. However, notwithstanding all these unusual and extraordinary attempts to engage even substandard types of workers, the industry was ultimately forced to make public acknowledgment of the fact that they were threatened with a dangerous labor crisis.

Following the Stabilization Director's cancellation of the wage increase, which was on June 22, the railroad labor shortage became more critical from day to day, and the morale of those remaining in the industry fell to lower and lower levels. The membership of these well-disciplined and well-behaved standard railway labor unions become more and more resentful, and finally, in July, one of the involved organizations of employees, assembled in national convention, authorized and urged its chief executive officer to withdraw the organization's "no strike" pledge and proceed immediately with the spreading of a national strike ballot. Demands for strike action likewise increased in each of the involved railway labor organizations with the membership insisting that they were no longer obligated to adhere to their "no strike" pledge in view of the fact that the recommendations of the Emergency Board had been repudiated and canceled by the head of a Government bureau which did not exist at the time the "no strike" pledge was given.

In the early part of August the unions and the railroad managements met in Washington, and in response to what they understood to be a suggestion or request from the President's representative they signed an agreement increasing the wages of the men in the so-called nonoperating group. This agreement was made "subject to requirements of existing law" and efforts have since been unsuccessfully made to obtain the approval which the railroad managers consider necessary from Government before making it effective. Although this agreement was made at the suggestion of the Government as a means to settlement of the whole matter, the Government has since declined to approve it.

As a result of the long delay and these repeated disappointments, we now have 1,000,000 railway workers, as represented by these 15 so-called nonoperating organizations, in a justifiably resentful attitude. The industry has lost a tremen-



dous proportion of its trained and experienced workers. The morale of the railway employees is probably at the lowest level in railroad history. Railroad wrecks and accidents are occurring at an alarming rate. Congestion of freight in large railway terminals has already reached such an extent that office workers, minor officials, and all available labor are being frantically urged to work on Sundays and at nights in an effort to relieve the congestion. The railroad industry which collapsed in the First World War is now threatened with a collapse at this critical period of the present war. While dissatisfied with the amount of increase recommended by the Board, the employees are, nevertheless, willing to accept it. Railway managements which opposed it for 10 months are now so concerned with the labor crisis that they are anxious to grant the 8-cent increase. The President has publicly indicated in press conferences that he favors it. The Director of Stabilization still refuses to give it his approval.

Mr. Speaker, under these circumstances, I repeat that this is no longer merely a wage dispute between railroad workers and railroad managements. It is now a national crisis that threatens the successful prosecution of the war, and it is a matter of such tremendous concern and of such vital importance that Congress can no longer afford to ignore it. It is with this thought in mind that I have deemed it desirable to place the history of this dispute and the railroad crisis that has resulted from it before the Members of Congress for your careful consideration, with the thought that Congress may deem it imperative to concern itself directly with the problem and take appropriate action.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Oregon [Mr. STOCKMAN] be permitted to address the House for 10 minutes on Thursday next, following any special orders heretofore entered.

The SPEAKER pro tempore (Mr. WASIELEWSKI). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 31 minutes p. m.), under its previous order, the House adjourned until Thursday, November 4, 1943, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m. Thursday, November 4, 1943. Business to be considered: Continuation of petroleum hearings—Ralph K. Davies, first witness.

##### COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the subcommittee at 10 a. m. on Tuesday, November 9, 1943, for consideration of H. R. 3140.

##### COMMITTEE ON PATENTS—NOTICE OF POSTPONEMENT OF MEETING

The executive session scheduled for today by the Committee on Patents was postponed until Tuesday, November 9, 1943, in the committee room, 416 House Office Building, at 10:30 a. m. Proposed legislation by the National Patent Planning Commission will be discussed.

##### COMMITTEE ON THE JUDICIARY

Subcommittee No. 2 of the Committee on the Judiciary will conduct hearings on H. R. 786, a bill to amend section 40 of the United States Employees' Compensation Act, as amended (to include chiropractic practitioners) at 10 a. m. on Wednesday, November 10, 1943, in room 346, old House Office Building, Washington, D. C.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

890. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend sections 675 and 676 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, regulating the disposal of dead human bodies in the District of Columbia; to the Committee on the District of Columbia.

891. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended; to the Committee on the District of Columbia.

892. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

893. A letter from the Acting Administrator, Office of Price Administration, transmitting a revised copy of form estimating personnel requirements in the Territories and possessions; to the Committee on the Civil Service.

894. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes"; to the Committee on the District of Columbia.

895. A letter from the Attorney General, transmitting a draft of a proposed bill to amend the act making it a misdemeanor to stow away on vessels; to the Committee on the Merchant Marine and Fisheries.

896. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 407 individuals whose deportation has been suspended for more than 6 months under the authority vested in him, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 3505) to authorize the President of the United States to present a Congressional Medal of Honor to Jennings Jack Bennett, and the same was referred to the Committee on Naval Affairs.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 3591. A bill to provide 6 months' pay to all honorably discharged veterans of World War No. 2; to the Committee on Military Affairs.

By Mr. O'HARA:

H. R. 3592. A bill to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes; to the Committee on the Judiciary.

By Mr. MANSFIELD of Texas:

H. J. Res. 181. Joint resolution directing the Federal Power Commission to inquire into and report to the Congress on various matters with respect to natural gas; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND:

H. J. Res. 182. Joint resolution to create the War Shipping Field Service; to the Committee on the Merchant Marine and Fisheries.

By Mr. SIKES:

H. Res. 340. Resolution creating a select committee on post-war plans; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 3593. A bill granting an increase of pension to Walter Clement Haigh; to the Committee on Pensions.

H. R. 3594. A bill granting a pension to Sophie Pincus; to the Committee on Invalid Pensions.

By Mr. CLASON:

H. R. 3595. A bill for the relief of Robert Futterman; to the Committee on Claims.

By Mr. DINGELL:

H. R. 3596. A bill conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Zephyr Aircraft Corporation against the United States; to the Committee on Claims.

By Mr. LEMKE:

H. R. 3597. A bill granting a pension to Ole M. Anderson; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3378. By Mr. REED of Illinois: Petition of A. Hrivnak, of Joliet, Ill., and 20 other citizens, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

3379. By Mr. TALLE: Petition of Sarah Huftalen and other citizens of Delaware County, Iowa, urging the enactment of House bill 2392; to the Committee on the Judiciary.

3380. Also, petition of Sarah Huftalen and other citizens of Delaware County, Iowa, urging the enactment of House bill 2082; to the Committee on the Judiciary.



3381. By Mr. COCHRAN: Petition of George Kiburz and 22 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3382. Also, petition of Joseph Ringenbach and 24 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3383. Also, petition of Fred Mogab and 20 other St. Louis citizens, protesting against the passage of House bill 2082, which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3384. Also, petition of John B. Ross and 23 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3385. Also, petition of William Getchman and 40 other St. Louis citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3386. Also, petition of Paul Kokalis, of Washington, D. C., and 20 other citizens, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3387. Also, petition of the Municipal Architect's Office, Washington, D. C., and signed by 20 others, protesting against the passage of House bill 2082 which seeks to enact prohibition for the period of the war; to the Committee on the Judiciary.

3388. By Mr. LEONARD W. HALL: Petition of sundry members of the Rockville Center (N. Y.) Baptist Church, urging enactment of House bill 2082; to the Committee on the Judiciary.

3389. By Mr. TOLAN: Petition of the Central Labor Council and Building Trades Council of Alameda County, Calif., and signed by 856 residents of Alameda, Calif., requesting active support of legislation to (1) repeal of the Smith-Connally bill; (2) the American Federation of Labor amendments to the Social Security Act; and (3) subsidies for the purpose of rolling back the cost of living; to the Committee on Military Affairs.

3390. By Mr. THOMASON: Petition of the Commissioners' Court of El Paso, Tex., urging favorable action on House bill 2426 and Senate bill 971, authorizing an appropriation of \$3,000,000,000 for highway construction; to the Committee on Roads.

3391. By Mr. BROWN of Ohio: Petition of 29 citizens of Union County, Ohio, favoring the passage of House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war; to the Committee on the Judiciary.

3392. By Mr. POULSON: Petition of Wilma A. Morgan and others, urging the passage of the Bryson bill (H. R. 2082) prohibiting the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

3393. By Mr. SHORT: Petition of Mrs. W. P. Davis and others of Neosho and Newton County, Mo., urging support of House bill 2082, introduced by Hon. JOSEPH R. BRYSON, of South Carolina, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

3394. By the SPEAKER: Petition of the State, County, and Municipal Workers of America, petitioning consideration of their

resolution with reference to repeal of the Chinese Exclusion Act and support of House bill 2011, making citizenship possible for persons of Oriental nationality; to the Committee on Immigration and Naturalization.

## SENATE

WEDNESDAY, NOVEMBER 3, 1943

(Legislative day of Monday, October 25, 1943)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of light, in whom is no darkness at all, with gratitude we lift our hearts to Thee for the daily sacrament of beauty when morning glory gilds the skies and the splendor of dawn awakens the earth to newness of life. O Thou Sun of Righteousness, dawn upon our shadowed lives with the light of Thy revealing truth. Dispel the darkness of our minds, burn up the dross of our little loyalties with the fire of a consuming sacrifice for causes greater than ourselves. May we die to the things that seem—earth's sham and show—may we rise above poisoning hatreds, above greed and pride and prejudice and all the base contemptments of sect and creed.

Release us from an inner tyranny which makes us cry out in our slavish chains, "The things I would do I do not, for when I would do good evil is present with me." Break down every debasing idol, cast out every lurking foe. Smite down the arrogant specter of self; set our spirits free. May love cast out fear. Send us forth more than conquerors in tune with the Infinite, at home with the eternal. We ask it in the Redeemer's name. Amen.

### DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary, Edwin A. Halsey, read the following letter:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,

Washington, D. C., November 3, 1943.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ELMER THOMAS, a Senator from the State of Oklahoma, to perform the duties of the Chair during my absence.

CARTER GLASS,

President pro tempore.

Mr. THOMAS of Oklahoma thereupon took the chair as Acting President pro tempore.

### THE JOURNAL

On request of Mr. CONNALLY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, November 2, 1943, was dispensed with, and the Journal was approved.

### REPORT OF AMERICAN WAR MOTHERS

The ACTING PRESIDENT pro tempore laid before the Senate the annual report of the American War Mothers covering the period October 1941-October 1942, submitted pursuant to law,

which was referred to the Committee on Military Affairs.

### RESOLUTION BY BOARD OF DIRECTORS OF KANSAS ENGINEERING SOCIETY—PROPOSAL TO MOBILIZE SCIENTIFIC AND TECHNICAL RESOURCES

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference a resolution adopted by the board of directors of the Kansas Engineering Society expressing its opposition to the bill (S. 702) to mobilize the scientific and technical resources of the Nation, to establish an office of scientific and technical mobilization, and for other purposes, which I also ask to have printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas the board of directors of the Kansas Engineering Society, being in session on this 9th day of October 1943, at the Jayhawk Hotel in Topeka, Kans., an analysis of the Kilgore bill, S. 702, was taken up and thoroughly discussed and it being the consensus of opinion that this bill is a measure to socialize and regiment engineering and scientific research and design, it is the opinion of this society that such socialization and regimentation will retard progress and undermine individual thinking and initiative and therefore be detrimental to the public welfare of this Nation: Therefore be it Resolved, That the Kansas Engineering Society go on record as opposed to this or any similar type of legislation.

### RESOLUTION BY BOARD OF MANAGERS OF AXTELL CHRISTIAN HOSPITAL, NEWTON, KANS.—PROPOSAL TO PLACE HOSPITALS UNDER SOCIAL SECURITY SYSTEM

Mr. CAPPER. Mr. President, I also ask unanimous consent to present for appropriate reference a letter from the superintendent of the Axtell Christian Hospital, of Newton, Kans., together with a resolution adopted by the board of managers of the hospital, in opposition to Senate bill 1161, which provides for the placing of hospitals under the social-security program. I also ask that the letter and accompanying resolution be printed in the RECORD.

There being no objection, the letter, with the accompanying resolution, was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

AXTELL CHRISTIAN HOSPITAL,  
Newton, Kans., October 29, 1943.

HON. ARTHUR CAPPER,

United States Senator from Kansas,  
Washington, D. C.

MY DEAR SENATOR CAPPER: There is before Congress a bill known as the Wagner-Murray-Dingell bill, that proposes to put practically all hospitals under a social-security program. If this bill becomes a law, it will not only make hospitalization very expensive to the individual, but it will place a very large sum of money under the direction of one man. It is generally felt that it would force every hospital to become, in fact, a Government hospital. I am enclosing a resolution passed by our hospital board after they had reviewed this bill and considered what it would mean to our hospital. I sincerely hope you will use your influence to defeat this measure.

Very sincerely,

AXTELL CHRISTIAN HOSPITAL,  
JOHN R. GOLDEN,  
Superintendent.